

SECRET ~~to FORCES~~

COPY N. 13

REPORT
of the
COURT OF INQUIRY
re
SHOOTING OF ALLIED PRISONERS
OF WAR
BY THE GERMAN ARMED FORCES
at
LONGUEIL (NEAR DIEPPE)
NORMANDY
24 June, 1944

7

PART ONE

PROCEEDINGS OF A COURT OF INQUIRY

assembled in the Field
pursuant to an order of the
Supreme Commander,
Allied Expeditionary Force,
dated 20 August, 1944

PART I.

4 October 1944

1. Pursuant to a further order of the Supreme Commander, Allied Expeditionary Force, dated 8 October 1944 (Exhibit 2) appointing Lt.Col. Charles S. Bushman, U.S. Army, to be an additional Member of the Court for the purposes of this Case, and pursuant also to a Supreme Headquarters A.E.F. letter GAP 900/27 dated 4 October 1944 (Exhibit 3) referring the LONGUEIL (DIEPPE) Case to the Court, the Court, after consideration of the relevant papers and making arrangements for the attendances of witnesses, proceeded to DIEPPE on 4 October 1944 and on the evening of that day made a preliminary inspection of the scene of the incident.

5 October 1944

2. The Court opened its Session for the hearing of this case at the Council Chamber of THE MAIRIE, ECOLE DES JEUNES FILLES, RUE VICTOR HUGO, DIEPPE, SEINE INFERIEURE, FRANCE, at 0930 hours, 5 October, 1944.

PRESENT were:-

ACTING PRESIDENT:

Lt.Col. J.H. BORASTON, CB, OBE, (British)
Supreme Headquarters, A.E.F.

MEMBERS:

Lt.Col. B.J.S. MACDONALD, ED, (Canadian)
Supreme Headquarters, A.E.F.

Lt.Col. CHARLES S. BUSHMAN, (U.S. Army)
Supreme Headquarters, A.E.F.

IN ATTENDANCE:

Lt. R.E. ROBICHAUD, R.M. Rangers (Interpreter)

SQMS (W.O.II) G.J. NORWOOD, RASC (Court Reporter)

Sgt. D.G. LEVENICK, CMSC (Court Reporter)

3. The Order constituting the Standing Court (Exhibit 1) having been read, the Acting President drew attention to the fact that he and Lt.Col. B.J.S. MACDONALD were under oath. Lt.Col. CHARLES S. BUSHMAN was sworn by the Acting President. Lt. R.E. ROBICHAUD was sworn as Interpreter to the Court by Lt.Col. B.J.S. MACDONALD. SQMS G.J. NORWOOD and Sgt. D.G. LEVENICK were reminded by the Acting President that they were under oath as Court Reporters.

7

PART TWO

P A R T T W O

SEC. I. FINDINGS OF THE COURT

1. (a) That at midday on 24 June 1944, when their aeroplane crashed at LONGUEIL, Seine Inferieure, France, two American airmen, part of the crew of the said aeroplane, met their deaths at the hands of the German armed forces.
(b) That one of the said two airmen was GEORGE L. ROTH, 0813064 T43 44A, whose rank and unit are not known to the Court.
(c) That the other of the said two airmen has not been identified.
2. (a) That immediately prior to the events which led to his death, the said GEORGE L. ROTH was seated on a bank of a sunken lane close to the wreckage of the aeroplane, holding his head in his hands and swaying.
(b) That when first seen by any of the French civilians who witnessed the crash, the said unidentified airman was lying in the said lane within two or three yards of the said GEORGE L. ROTH and was to all appearance dead.
3. (a) That while the said GEORGE L. ROTH was in the position before described, GEFREITER FRITZ ASCHMITAT, of the 13th Company of a German Grenadier Infantry Regiment, which company was stationed in part at LONGUEIL and in part at the neighbouring village of BLOSSEVILLE and had as its Field Post Number the number 13958, fired at the said GEORGE L. ROTH with a rifle with intent to kill and inflicted on him fatal injury.
(b) That it is probable that on the same occasion the said GEFREITER FRITZ ASCHMITAT fired also at the said unidentified airman with a rifle with intent to kill and inflicted on him a wound causing instant death; but that the evidence is not sufficient to establish this killing as a fact provable at law.
4. That a few minutes after the said shooting by the said GEFREITER FRITZ ASCHMITAT and while the said GEORGE L. ROTH was lying wounded and unconscious in the said lane, OBERLIEUTENANT SCHROER, commanding a German company which had arrived at LONGUEIL from PARIS during the night of 23/24 June 1944, fired at the said GEORGE L. ROTH with a pistol with intent to kill and inflicted on him fatal injury which accelerated his death.
5. That the said GEORGE L. ROTH, at the times when the said fatal injuries were inflicted, was unarmed and in no condition to and in fact did not offer resistance or attempt to escape or do anything otherwise to justify or excuse the shootings.

14. The aeroplane circled and after clearing some trees to the West, crashed in open ground at Map Reference 125649, Sheet 8D/6, France 1:50,000, ST. VALERY-EN-CAUX. The time of the crash was 1100 hours, French time. On crashing, the aeroplane broke into two main portions which came to rest about 30 yards apart, on either side of a country lane. The lane in question is shown by a broken red line on the map and leads in a curve North-West from THE MAIRIE at LONGUEIL to the crest of the hill where the crash occurred. Towards the crest of the hill, the lane, as it continues East, has low banks on either side of it which become higher as the lane proceeds. Smaller portions of the machine were scattered round the area of the lane, some of them in the lane. After crashing, the machine caught fire and ammunition exploded.

15. In the crash, two cows were killed and a third injured, their bodies lying in, or partially in, the lane near the main portions of the machine.

16. The machine was seen and its course followed by a number of French civilians, some of whom were working in the fields close to the place where the crash occurred.

17. There were two American airmen still in the aircraft when it crashed. One of them was found a few minutes later lying in the sunken lane between the two main portions of the aeroplane. This airman was never seen to move by any witness and there is no direct evidence to show whether he was alive or dead after the crash. One witness, however, testifies to having heard an airman speak and, if this evidence is correct, other evidence points to the speaker having been this airman. Examination of the body on 11 October 1944 showed a small calibre bullet wound in the neck by which the vertebrae had been shattered. This airman has not been identified.

18. The second airman was seen almost simultaneously by four of the French civilians in the adjoining fields and by two, or possibly three, German soldiers who had run up from a farm about 100 metres away. This airman was sitting on the southern bank of the lane between the two main portions of the aircraft, holding his head in his hands and swaying.

19. When he saw the airman, one of the German soldiers, after stepping back a pace or two and, according to the evidence of one witness, after a brief conversation with the second German soldier, raised the rifle he was carrying and fired two shots from a distance of about 12 yards in the direction of the airman. At the shots, the airman who was sitting on the bank fell forward into the lane and lay there without further noticeable movement.

20. The German who fired these shots was GEFREITER FRITZ ASCHMITAT, 13 Company of Grenadiers, Field post number 13958. The Company, or a detachment of it, had been stationed at LONGUEIL since January 1944 and was commanded by Lieutenant KETTERER, who was stationed with another detachment at BLOSSEVILLE. Lieutenant KETTERER had under him, to assist him in the command of the two detachments at LONGUEIL and BLOSSEVILLE, two non-commissioned officers named HALMUT HALBACH and ALPHONSE BRACHAUX.

21. The second German who accompanied ASCHMITAT was GEFREITER JOSEPH SOSSNA, of the same company, a Polo.

22. Within half an hour after the time when the aeroplane crashed and, according to the evidence of one witness; again some two hours later, LIEUTENANT (or OBER-LIEUTENANT) KETTERER shook hands with ASCHMITAT, as though congratulating him.

23. Some two hours after the shooting, ASCHMITAT was heard boasting in the presence of SOSSNA that, on SOSSNA's instructions, he had shot the American airmen. SOSSNA did not contradict him.

24. Within a period of 10 minutes after this first shooting, OBERLIEUTENANT SCHROER, commanding a German Company which had arrived at LONGUEIL from PARIS during the night of 23/24 June 1944, fired two shots from a revolver into the airman, who had been sitting on the bank, from a distance of about 12 feet. This shooting was seen by a witness who was about 9 feet from the airman.

25. Within a few minutes of this second shooting, the same airman was examined by Dr. RAYMOND THELU, who found that the airman was still living and breathing. The airman died a few minutes afterwards. He was identified by Dr. THELU as GEORGE L. ROTH, 0813064 T43 44A, from a wrist watch bearing this name and number which Dr THELU found on the body and removed for safe custody.

26. Examination of the body of GEORGE L. ROTH on 11 October 1944 showed that he had sustained four wounds, namely, three bullet wounds in the head and a lacerating wound in the right armpit, which might have been caused either by a bullet or by the airman striking something when the aeroplane crashed.

27. Both airmen were stripped by the Germans of their outer clothing and boots and, with the exception of a wrist watch which Dr THELU took from the body of ROTH while attending to him, were deprived of all they had on them, including their identity discs, with the exception of their underclothing and socks.

28. A German soldier named OBERGEFREITER HENRY BITCH belonging to ASCHMITAT's company was seen in possession of a travelling bag taken from one or other of the airmen. According to one witness, BITCH was also in possession of a wrist watch taken from the unidentified airman; but another witness says that it was SOSSNA who had this watch. The witness CAHPENTIER testifies that ASCHMITAT had taken a purse with money in it.

29. Both airmen were buried by local French civilians at LONGUEIL Cemetery.

30. LIEUTENANT, later OBERLIEUTENANT RUSCH, stationed at QUIBERVILLE and commanding a company stationed at QUIBERVILLE and at BOURG-DUN, the Field post number of which is 189530, was at THE MAIRIE at LONGUEIL at the time of the crash and remained there for some 10 minutes. He then, in all probability, went to the scene, in which case he would have arrived there 20 to 30 minutes after the crash occurred. There is evidence that he also congratulated ASCHMITAT.

occasions. The Court is also satisfied, on the evidence of the witness Dr. THELU, that ROTH was still alive on the occasion of the second shooting. Dr. THELU's evidence that ROTH was alive is consistent with the pathological evidence.

(b) The Court has considered the possibility that the officer who fired the revolver shots fired at both airmen; but concludes that this is improbable. The two bodies were some distance apart and the witness QUILAN, himself only 10 or 12 feet away, would have noticed the re-direction of the weapon, if the officer had fired at both bodies. QUILAN in fact, however, says on the contrary that ROTH was hit by both bullets.

(c) The Court bases its identification of OBER-LIEUTENANT SCHROGER as the German who fired the revolver shots (a) upon the evidence of the witness ANDRE RAS who states (i) that he was talking to the officer half a minute before the shooting and heard the shots which he recognised as coming from a revolver (ii) that the officer had just arrived in the district, (iii) that the officer was wearing a black peaked cap, was 1 metre 67 or 68 tall and aged 25 to 30 years; (b) upon the fact the officer whom the witness QUILAN saw firing the revolver was a stranger to him, but corresponded with M. RAS's description, and (c) upon the evidence of the witness Mme GERVIG who says that OBER-LIEUTENANT SCHROGER had arrived with his company during the previous night.

34. The evidence which identifies ASCHMITAT as the firer of the rifle shots also identifies SOSSNA as his companion and accessory.

35. (a) The handshaking between ASCHMITAT and one or more German officers was seen by eye-witnesses. The witness RAS says that he knew the officer very well and that his station was at BLOSSEVILLE. The evidence of Mme. GERVIG accordingly identifies the officer as Lt. KETTERER.

(b) The witness Mlle. CARPENTIER says that the officer was ASCHMITAT's company officer and that he was of BLOSSEVILLE, which again identifies him with Lt. KETTERER.

(c) While the Court appreciates that handshaking may be capable of many innocent explanations, the circumstances in which it took place and the apparently unusual nature of the act which particularly impressed the witnesses, point naturally to the conclusion which the witnesses drew from it. The Court accepts this explanation.

36. The witness LEBRET states that he saw the German commander stationed at BOURG-DUN shake hands with ASCHMITAT about half an hour after the crash. The evidence of Mme. GERVIG is that Lt. RUSCH was in command at BOURG-DUN at the time and that it would have been

possible for him to have reached the scene within half an hour of the crash. The Court accordingly considers it probable that RUSCH also approved the shooting; but, inasmuch as the murderers were not of his company, the Court does not find against RUSCH. The Court considers, however, that this handshaking by officers of the district, in such circumstances, may be construed as some evidence of general official instructions to the German forces in that district that Allied airmen were to be killed and not taken prisoner.

37. The reasons for the other findings of the Court are sufficiently apparent from the evidence.

38. I agree also with the additional reasons of Lt.Col. MACDONALD.

REASONS FOR FINDINGS
by Lt.Col. B.J.S. MACDONALD, MEMBER.

39. While in agreement as to the statement of facts, and in the result, I should like, especially as the Court is not unanimous in its finding with respect to the responsibility of LIEUTENANT KETTERER, to express some additional reasons for concurrence.

There are some facts which have been well established by the evidence, and with respect to which no conflict appears. These are:

- (1) That two Allied aviators crashed in territory held by the enemy, and were as a consequence dazed or injured. While they were in this condition, apparently unarmed, and making no effort to resist or escape, one (ROTH) or both were deliberately shot dead by certain enemy personnel.
- (2) That a total of four and possibly five bullet wounds were found on the bodies of the two aviators. One body (ROTH's) had three and a further doubtful injury in the armpit that might or might not have been caused by a bullet wound, while the other (unidentified) had one.
- (3) That three of the definitely determined bullet wounds penetrated ROTH's brain and each would in all likelihood have proved fatal, while the fourth found on the unidentified airman did cause his immediate death.
- (4) That four shots were fired, two by ASCHMITAT (and SOSSNA) and two by the officer (SCHROER).
- (5) That GEFREITER FRITZ ASCHMITAT shot, with at least one of these bullets, the aviator ROTH.
- (6) That the German officer (SCHROER) shot dead the aviator ROTH and possibly also the unidentified airman, who were both lying helpless on the ground at the time.
- (7) That GEFREITER JOSEPH SOSSNA accompanied ASCHMITAT on his mission, and participated in it by encouraging or ordering him to shoot the said aviator, and that he subsequently took and also claimed credit, in the course of conversations, for the said killing, or killings.

and the denunciation of the culprit by court martial or otherwise, so as to disassociate themselves from the act which otherwise in military practice is to be taken as their own. On the contrary here the offender is rewarded with the repeated public congratulations of his superior and responsible officer.

51. To suggest that this handshaking is not an unequivocal act is a matter of defence. We are concerned here with the existence of a prima facie case. As a matter of practical army experience, however, this repeated congratulation, the first occasion being on the spot and almost immediately following the murder, can have only one significance. That an innocent explanation does exist, does not appear from anything in the evidence, and is so remote a possibility as to be ignored here.

52. What then is the officers' legal responsibility on these facts? In criminal law, one can in certain circumstances be held guilty of the offense itself, as an accessory after the fact, if one has

"assisted the felon to evade justice (knowing he has committed a felony) either by comforting, hiding or otherwise actively assisting him or opposing his apprehension" etc.

53. It would seem that, if that is sufficient to determine the guilt of one having no direct duty of custody, apprehension or punishment, how much greater must be the responsibility here. This officer, having command and control of the culprit, not only fails in his duty of apprehension and punishment, but far from that actually commends him and holds him up as an example for others under his command to follow.

54. If an officer issued orders for the employment of such methods of warfare, or countenanced or openly condoned, approved and adopted such conduct, he is more to blame for the murders than the junior NCO, who, acting under such orders or seeking the approval of his superiors, actually commits the offense. The officer is the one person who above all else should be punished. All these facts being present, I am not disposed to conjure up imaginary excuses with respect to this officer, which may assist him to escape trial; or the justice which all concerned will receive at the trial, if he in fact is not guilty.

55. As to the third officer, I agree that, reprehensible though his conduct was, not being in command of the two culprits, he cannot legally be held directly or indirectly responsible for the murders.

SEC. III. RECOMMENDATIONS

56. (a) The Court recommends that, on due time and occasion, the said GEFREITER FRITZ ASCHMITAT, GEFREITER JOSEPH SOSSNA and OBERLIEUTENANT SCHROER be brought to trial for the murder of the American airman GEORGE L. ROTH in the neighbourhood of LONGUEIL on 24 June 1944.

- (b) The Court further recommends that on due time and occasion the said LIEUTENANT or OBERLIEUTENANT KETTERER be brought to trial for complicity in the said murder, as the commanding officer of the said GEFREITER FRITZ ASCHMITAT and GEFREITER JOSEPH SOSSNA at the time.

57. Being of opinion that the statement made by the said GEFREITER FRITZ ASCHMITAT in the presence of the witness CARPENTIER that he had killed the said unidentified airman would not support a charge of murder in a court of law, the court recommends that no proceedings be taken in the case of the said unidentified airman.

58. Being of opinion that the stealing by individuals of articles taken from the dead is too common an occurrence, on both sides, for such stealing to be a suitable ground for legal proceedings, save in exceptional circumstances, the court, while deploring the frequency of such thefts, recommends that no proceedings be taken for theft against any of the individual German soldiers whom it has found guilty of the offense of theft.

59. In view of the possibility suggested by the circumstances of this case that instructions had been issued by the German military authorities under which the district came, that Allied airmen should be shot, the court recommends that all possible steps should be taken, by the interrogation of German prisoners of war and otherwise and by the exploitation of such sources of information as may become available on the termination of hostilities, to determine whether such an order in fact existed and, if so, who was responsible for making it.

60. Signed in the Field on the 1st November 1944.

J.H. Boraston
J.H. Boraston,
Lieutenant-Colonel,
Royal Artillery.
ACTING PRESIDENT

B.J.S. Macdonald
B.J.S. Macdonald,
Lieutenant-Colonel,
Essex Scottish (Canadian)
MEMBER

I am unable to agree with the majority view that LIEUTENANT or OBERLIEUTENANT KETTERER is guilty of murder. Otherwise I agree with the Report.

Charles S. Bushman
Lt Col.

Charles S. Bushman,
Lieutenant-Colonel Inf.,
United States Army.
MEMBER

EXHIBIT No.1.

3. The Court is authorized to travel to such places in the combat zone in Northwestern Europe as may be necessary to carry out the assigned mission.

By Command of General EISENHOWER:

(Sgd) E. C. Boehnke

E. C. BOEHNKE,
Colonel, AGD,
Adjutant General.

900/3

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE

EXHIBIT No. 2.

S E C R E T
Auth: SC AEF
Init: HCB
Date: 4 Oct 44

AG 000.5-2-AGP

MAIN, APO 757
4 October 1944

SUBJECT: Appointment of
Court of Inquiry

TO: All Concerned.

Paragraph 1, letter, this headquarters, file and
subject as above, dated 20 August 1944, is amended to
add the following names:

Lt.Col. Charles S. Bushman, U.S. Army,
Supreme Hq, A.E.F. Member

with, in attendance,

Lt. R.E. Robichaud, R.M. Rangers
(Canadian)
Supreme Hq, A.E.F.

SQMS G.J. Norwood, S1588645, R.A.S.C.
Supreme Hq, A.E.F.

Sgt. D.G. Levenick, H9925, C.M.S.C.
Supreme Hq, A.E.F.

By command of General EISENHOWER

E.C. BOEHNKE,
Colonel, AGD,
Adjutant General.

DISTRIBUTION:

| | |
|-------------------------------|---|
| Ea individual | 1 |
| War Office | 1 |
| War Department | 1 |
| Canadian Military Hq | 1 |
| Twelfth Army Group | 1 |
| 21st Army Group | 1 |
| First U.S. Army Group | 1 |
| First Canadian Army | 1 |
| Second British Army | 1 |
| First U.S. Army | 1 |
| Third U.S. Army | 1 |
| CG, Com Z, APO 887 | 1 |
| G-1 Div, Supreme Hq AEF | 3 |
| AG Records | 2 |

S E C R E T

EXHIBIT No.4.

Q How far was the airman from the plane?

A The plane was broken in two and the airman was sitting between both portions, in the middle.

Q Was there a bank to the lane?

A Yes, the road had a little bank about as high as this table (indicating the Court table, one metre high).

Q Could you see what condition the airman was in?

A No, I could not see it.

Q Did he appear to be hurt in any way?

A Yes, he appeared to be wounded because he seemed to be shaken considerably and he was swaying.

Q Could you see whether he was armed?

A No, I could not see because of the smoke, which obscured the view, but he could not use his weapons in any case.

Q You did not see any weapons on him?

A No, I did not see any weapons on him.

Q Did he make any gesture to suggest that he saw the Germans?

A No, he did not indicate at all that he had noticed the Germans approaching.

Q You say there were two Germans?

A Yes, there were two Germans.

Q Were they both armed?

A One had a rifle but I did not notice whether the other one was armed or not.

Q Did either of the Germans speak or shout or say anything to the airman?

A No, they did not call out or speak or do anything to the airman, but when they saw him they drew back. The one who had a rifle -----

Q How far did they draw back?

A When he saw the airman sitting down, he went back a few metres, shouldered his rifle and fired two shots.

Q Could you see that he fired at the airman?

A Yes, undoubtedly he fired at the airman.

Q What happened to the airman?

A When the airman had been shot he naturally fell forward on the ground.

Q Do you know where the German came from?

A The German came from billets from the upper part of Longueil.

Q Do you know him yourself?

A No, I had seen him quite often, as he drove a cart with two horses, but I did not know him personally.

EXHIBIT No.4.

- Q Would you recognise him if you saw him again?
A Yes, I would know him if I saw him again, since his face was pock-marked.
- Q Can you describe him more fully; how old he was, apparently, how tall, what colour?
A He was of rather a heavy build with a full face and not at all handsome.
- Q How tall?
A Between 1 metre 70; between 1 metre 60 and 70.
- Q Was his hair fair or dark?
A I do not know, since he always wore a cap.
- Q Was he clean-shaven or with a moustache?
A He was clean-shaven.
- Q Do you know what kind of tooth he had?
A No, I do not know.
- Q What age was he?
A I could not say his age for sure, but he could be between 30 and 35.
- Q Did you know the German who was with him?
A No, I do not know the German who was with him. According to my friends, I found he was a Pole, but I do not know.
- Q Was he one of the same party of Germans?
A Yes, he belonged to the same party of Germans.
- Q Do you know their unit?
A No, I do not know their unit; there were three units in the Commune, but I did not know which one he belonged to.
- Q Was he in the infantry or some other arm?
A It was rather like artillery, since he was concerned with the guns which were found lower down.
- Q Did any other Germans come along?
A Yes; afterwards, all the Germans came along with their officers.
- Q How many, roughly?
A Between 50 and 60. The companies of Germans came down and later they scattered to find the airmen who could have parachuted down.
- Q How much later was it when the officer and the other Germans arrived, after the shooting?
A Two or three minutes.
- Q How far from the airman was the German when he fired?
A Not more than 10 metres.
- Q And how far were you from the German?
A 25 to 30 metres, at the most.
- Q How far were you from the airman?
A About 40 metres from the airman.

EXHIBIT No.4.

- Q No; my question was: When? When did you first see him?
A Five minutes after the German had fired on the first airman.
- Q Was that after or before the main body of the Germans came?
A After the men had come upon the spot.
- Q How near did you go to the second airman?
A 10 metres, after they made us go back.
- Q Did you have to pass through the Germans to get to that distance?
A Yes, we were mixed up with the Germans.
- Q Could you see whether the second airman was alive or dead when you saw him?
A He showed no signs of life; he did not move.
- Q Did you take the second airman to your house too?
A Yes.
- Q Do you know his name and unit?
A No, I do not know it; we found no papers on him at all.
- Q Do you know the nationality of the two airman?
A No. We were told, however, that they were two American airman.
- Q Who told you?
A It was the school teacher who saw to their subsequent burial.
- Q What was the name of the school teacher?
A The name of the school teacher was Gervig.
- Q Do you know of any other occupants of the aircraft besides those two?
A No, there were no others. They had jumped in parachutes; five had jumped in parachutes.
- Q How do you know that?
A My employees were a little above the spot where I was standing and they saw these men bale out.
- Q You did not see them yourself?
A No, I did not see the parachutes myself.
- Q Did you ever hear what happened to them?
A I found later that two were prisoners.
- Q Do you know what happened to them?
A No.
- Q Do you know the names of any officers, non-commissioned officers or other ranks of the German units at Longueil?
A No. I did not know very many. I had one at my home, but I did not know.
- Q You did not know his name?
A I know the name of the one I had at my place.

EXHIBIT No.4.

Q What was his name?

A His name was Franc Lanz.

LT. COL. MACDONALD: Did you recognise the soldier who was with the one who shot the first aviator?

A No. I did not recognise him.

Q Can you describe his appearance?

A No, I cannot describe him, since everything took place so quickly. Besides, I only saw him from the back.

Q Did you hear the second soldier say anything to the first one prior to the shooting?

A No, I did not hear anything.

Q Do you know whether the second soldier was an NCO?

A No; they were two private soldiers.

Q Do you know the difference in rank designations as between private soldiers and NCOs?

A Yes, they have different insignia on the shoulders and on the collar.

Q If you only saw the second soldier from the rear how can you be sure he was not an NCO?

A Well, on his collar, if he were an NCO, you could see the white piping around the collar.

Q Do you know what a gefreiter or obergefreiter is.

A No, I do not know.

Q Do you know what an unterofficier is?

A No.

Q When you first saw the second aviator was it after or before you heard the shots being fired?

A It was before and during the firing of the shots.

Q How long after you saw the first aviator was it that you saw the second one?

A About five minutes. I saw the second airman after I had heard the two shots fired from the rifle.

Q You heard that an officer had shot the second aviator; did you hear these shots being fired?

A No, I did not pay any attention since at that moment we were ordered to move back, because I thought the second aviator was dead.

LT. COL. BUSHMAN: Will you describe the physical appearance of the second aviator?

A He was very small, with black hair and a little red moustache, with a little red beard. As I cleaned him myself I know that detail very well.

Q And what wounds did this second aviator have?

A He had a hole under the right ear and a very deep cut on the right side of the forehead.

Q The hole which you referred to was a bullet wound?

A Yes, I would feel inclined to think so, since it was a round hole and about as big as the end of my finger.

RECORD OF THE EVIDENCE

of

M. VICTOR d'AUTEL

M. VICTOR d'AUTEL is called and, having been duly sworn, is examined as follows:-

Lt. Col. BORASTON: What is your full name, surname and christian names ?

A Victor d'Autel.

Q Where do you live ?

A Longueil.

Q And what is your occupation ?

A Normally I am a baker; now I work all over the place, anywhere.

Q How old are you ?

A 23.

Q Do you remember a big aeroplane crashing at Longueil towards the end of June last ?

A Yes, I was very close to it.

Q Do you remember the exact date and time ?

A The 24th June at noon, German time, 11 o'clock, French time.

Q What were you doing at the time ?

A I was working with a hoe on the beetroots.

Q How far away from you did the plane come down ?

A About 50 metres.

Q What did you do ?

A We walked close by the aircraft, but when the Germans came they made us move back.

Q Whom do you mean when you say "we" ?

A There were several of us.

Q Who were they ?

A M. Ras, M. Marcel Crampon and M. Albert Barq.

Q Will you describe what happened when you went up towards the aeroplane ?

A We were walking towards the aircraft when we saw the Germans approaching. When the Germans had come to the aircraft they made us move back. It was at this moment that we saw a soldier fire on the airman who was sitting on the bank.

Q When did you first see an airman sitting on the bank ?

A Just before the Germans had come. We were at that time about 30 to 40 metres away.

Q In what position was the airman when you first saw him ?

A He was sitting on the bank with his head in his hands (demonstrating).

Q What was the bank on which he was sitting ?

A It is the bank on the side of a side-road about 50 metres from the main road. It leads to the farm of M. Ras.

EXHIBIT No. 5.

- Q What was the airman doing ?
A I could see only one; we could not see the second one, since he was lying down.
- Q Was the first one doing anything at all except sitting there with his head in his hands ?
A No, he was not doing anything else but sitting there.
- Q Did he move at all ?
A Yes, he was swaying.
- Q What happened to the airman next ?
A A lot of Germans came upon the scene and they made us walk back. Then, since we were farther back, we could not see what happened. Later on the aircraft caught fire. It burst into flames.
- Q Did you hear any shooting ?
A Yes.
- Q What was that ?
A Two rifle shots.
- Q Did you see who fired them ?
A Yes. I saw a German fire them, but I could not say who it was.
- Q Did you see what he was shooting with ?
A With a rifle.
- Q Did you see what he was shooting at ?
A Yes, in the general direction of the airman. He got up to within 10 metres of him, then moved back a little and fired.
- Q Do you mean "general direction" or "direction" ?
A Yes. He was firing definitely at the airman.
- Q Could you see whether he hit the airman ?
A No, we could not see very much, since a crowd of Germans were upon the scene and there was a certain amount of confusion. However, he surely did hit him because we later found him lying on the road.
- Q When you saw the airman afterwards, did you see any wounds on him ?
A Yes, I saw that he was wounded in the forehead, and we saw him in the afternoon. He was wounded in the forehead and in the right shoulder.
- Q Was he dead when you saw him the second time ?
A Yes, he was dead. The doctor said that he could have lived only half an hour after he had been shot and no more.
- Q Do you know to what unit the German soldiers belonged ?
A No, I do not know.
- Q Had you seen any of them before ?
A No; there were so many. I could not be sure. Besides, I always kept clear of the Germans.
- Q Were there any Germans stationed in Longueil ?
A Yes, there were.
- Q How many ?
A There were two guns with about 20 men and about 60 men

RECORD OF THE EVIDENCE

of

M. RENE EMILE ANDRE NOEL

M. RENE EMILE ANDRE NOEL is called and, having been duly sworn, is examined as follows:-

Lt. Col. BORASTON: What is your full name; surname and christian names?

A. Rene Emile Andre Noel.

Q. Where do you live?

A. At Longueil.

Q. What is your occupation?

A. Farm labourer.

Q. How old are you?

A. 29.

Q. Do you remember an aeroplane crashing on M. Andre Ras' farm in June of this year?

A. Yes, on the 24th June.

Q. Do you remember the time of day?

A. Around noon.

Q. What were you doing at the time?

A. I was tying bundles of sticks when the aircraft flew low overhead.

Q. Where was that; where were you?

A. I was at M. Bouchlon's farm at the time.

Q. Did you hear the aeroplane crash, or see it crash?

A. I saw, first, the aircraft flying low over the fields with the anti-aircraft firing at it. It was then that it turned and crashed at the upper end of Longueil.

Q. What did you do then?

A. I immediately ran to the spot where the plane had crashed, going by the road that goes through M. Ras' farm. I was alone on that road.

Q. Did you see anything when you ran up the road?

A. When I reached the spot the cabin had broken away from the rest of the aircraft and had just come to rest. At that point I stopped and remained at the gate. At that moment the Germans appeared on the road that came from the lower part of Longueil. I saw three Germans detach themselves from the rest and try to go near the aircraft.

Q. When did you first see any Germans?

A. I saw the Germans first in M. Ras' field.

Q. How many were there?

A. There were three of them at the time.

Q. What did they do?

A. They passed in front of the aircraft and as they could not see anything just then they passed around and found the two airmen in the road.

EXHIBIT No. 6.

Q When did you first see two airmen in the road ?

A I could not see the airmen in the road from the spot where I was.

Q When did you first see them?

A I saw them first when I went to the spot with the doctor, since we were not allowed to go near.

Q What doctor was it that you saw them with ?

A With Dr Thelu. I was at the gate, and in the road there was an inflated rubber dinghy. There was a cow belonging to M. Ras which had been killed. It was in the road and therefore from where I was I could not see the airmen. However, from where I was I saw the Germans approaching the side of the road and then they moved back a little. Then I heard the pilot speak; I do not know what he said. Then a German soldier loaded his rifle, took aim and fired.

Q Did you see the German actually put cartridges into his rifle ?

A No, I saw him cock his rifle, since their rifles were always loaded.

Q What did the German do when he had cocked his rifle ?

A He put his rifle to his shoulder, aimed at the pilot and fired.

Q Could you see the pilot ?

A No. I could not see whether he was lying down or sitting up.

Q Then what you mean is that you simply saw the German shoulder his rifle and fire at something ?

A Yes.

Q Why did you think that he was shooting at an airman ?

A There seemed to be no other reason why he should fire, since there was nothing else he could fire at.

Q When did you first see the airman ?

A When I went with the doctor, since the Germans did not allow us to go any closer.

Q You had not seen the airman at all before the shot was fired ?

A No, I could not see him since he was hidden from me by the cow which was lying in the road.

Q Do you think that the airman was lying down or sitting up, or standing up; could you have seen the airman if he had been sitting up ?

A No, I would have moved closer, but I was afraid. There were still bombs in the aircraft.

Q How many times did the German fire ?

A I saw him fire twice.

Q You said that before the German fired you heard the pilot say something; is that right ?

A Yes, the airman spoke.

Q Did he say one or two words, or a sentence ?

A He could not have said very much. The Germans exchanged rapid words together and shot him.

EXHIBIT No. 6.

Q Were both the German soldiers privates, or was one of them an NCO ?

A One of them had insignia on his sleeve, but I do not know what that indicates in the German Army.

Q Did you say something about a corporal ?

A He was a corporal, or something else.

Q What nationality was the German who accompanied the one who did the shooting ?

A We were told he might be a Pole.

Q Do you know this yourself ?

A He always used to say he was a Pole. I have heard him say it myself.

Lt.Col. BORASTON: In what language ?

A In German.

Lt.Col. MACDONALD: Do you know the soldier who was with the first one who shot the aviator ?

A Yes, they were in the same company. There were three of them and I know all three were of the same company. The third had a bayonet in his hand; I do not know what the second had.

Q Which one are you referring to when you say he had some insignia on his sleeve ?

A The one who fired, but I do not know what it is.

Q Was it one or two chevrons ?

A I do not remember very well. My friend out there (meaning outside the Courtroom) would know.

Lt.Col. BUSHMAN: What is the name of your friend ?

A Jean Lebre.

Lt.Col. MACDONALD: What is the name of the Polish soldier ?

A I do not know. I know it is "Joseph", but I do not know his second name.

Q Do you know the name of the soldier who shot the aviator ?

A No. I have heard it said, but I cannot remember.

Q What did Joseph look like; how tall was he ?

A He might have been about one metre 68 tall, or one metre 65; he had dark curly hair.

Q How old was he ?

A I do not know.

Q Was he younger or older than you ?

A Younger.

Q He would be under 30 then ?

A Certainly.

Q Would you recognise a photograph of him ?

A Yes.

Q I show you a photograph which for the purposes of identification will be marked as Exhibit "B.1". Can you see anyone there that you recognise ?

A The one in the light trousers is the so-called Pole.

EXHIBIT No. 6.

Q Take the photograph over to the window. (The witness does so).

A The one on the left is definitely the Pole; the other one I do not know.

Q You mean by "the one on the left", the one in what appear to be white trousers?

A Yes. The one with the light trousers is definitely the Pole.

Q And is this the man you saw with the soldier who shot the aviator?

A Yes.

(The witness withdraws)

EXHIBIT No. 7.

- Q What happened to Sosna and Bitch ?
A They stayed on until the departure of the Germans in September.
- Q Do you know the name of the officer who you thought had congratulated Hachmida ?
A He was the commander stationed at Le Bourg-Dun, no doubt the commander of the whole district.
- Q Do you know his name ?
A No, I do not know his name.
- Q What are the names of any of the other officers stationed at Longueil at this time ?
A All I know is the names of the NCOs.
- Q Do you remember the names of any NCOs who were around at the time you first saw Hachmida, Sosna and Bitch ?
A No, there were no NCOs around.
- Q Do you know anything of your own knowledge of the shooting of the two aviators ?
A No; I did not see anything.
- Lt. Col. BUSHMAN: When the plane crashed did it make a loud noise so that you could hear it ?
A Yes.
- Q How many minutes was it after you heard that sound before you arrived at the scene of the crash ?
A Five minutes; just time enough to go down a little hill and climb up the embankment.
- Q During the time that the plane crashed and the time that you arrived there did you hear any rifle shots ?
A All I could hear was the report of the cartridges exploding in the aircraft.
- Q Was the plane burning when you arrived there ?
A Yes.
- Q As you approached the plane was that the occasion when you saw those three soldiers; as you came up to the plane and saw it burning, was that when you saw the three German soldiers ?
A Yes, at 50 metres, near the gate.
- Q Did you see any aviators at that time ?
A No, I could not see any.
- Q Did you ever get a good view of the aviators ?
A No; they were in the road. I could not make anything out.
- Q Do you mean that the aviators were already wrapped up in sheets ?
A No. I could not see them from where I was standing.
- Q And at that time this soldier Bitch was carrying a double bag and the Polish soldier Sosna had the watch with him; is that right ?
A Yes, that is right.
- Q Now will you state once more exactly what Sosna said to you ?
A That he himself and Hachmida had each fired a rifle shot.

EXHIBIT No. 7.

- Q Did he say that they had fired at anyone in particular ?
A Yes, he told me he had fired at a soldier with Eachmida, but he did not tell me whether it was at one or two.
- Q Do you know what became of the watch that he had in his possession ?
A He offered to sell it to me but I refused to buy it; I do not know what became of it. He no doubt would have kept it.
- Q Did you see any German officers present at the time when Sosna showed you this watch ?
A No.
- Q How long did you remain there after talking to Sosna ?
A Three-quarters of an hour, perhaps.
- Q And during that three-quarters of an hour you did not see any German officers present ?
A Yes.
- Q Who were they, if you know, and what rank ?
A I knew only the commander at Le Bourg-Dun. I knew there were other officers but I do not know what rank they were, or who they were.
- Q Now you arrived at the scene of the crash about five minutes after the plane had crashed; is that right ?
A Yes.
- Q And at that time the only Germans present were these three that you have mentioned ?
A No. There were others, but those were the only three that spoke to me.
- Q And at that time did you see any German officers ?
A No; they were not there yet.
- Q And it was some time before this commander of the region arrived, was it, the one who shook hands with Eachmida ?
A Yes, perhaps half an hour.
- Lt.Col. MACDONALD: What was the rank of the commander of the region ?
A I do not know.
- Q What did he look like; what was his appearance ?
A Medium height; about 40. There are no other details; that is all.
- Q Did he wear a moustache, or was he clean-shaven ?
A He was clean-shaven. He wore a blue uniform, like the Air Force.
- Q Was he thin or stout ?
A Just medium build.
- Lt.Col. BUSHMAN: When Sosna told you that he and Eachmida had fired a shot at the aviator, was Eachmida standing close enough by that he could have heard the statement ?
A They were all three very close together.
- Q And did Eachmida say anything ?
A He was very happy; he was clapping his hands.

RECORD OF THE EVIDENCE

of

M. HENRI GERVIG.

M. HENRI GERVIG is called and, having been duly sworn, is examined as follows:-

It. Col. BORASTON: What is your full name, and christian names?

A Henri Gervig.

Q Where do you live?

A Longueil.

Q What is your occupation?

A School teacher and Mayor's Secretary.

Q How old are you?

A 41.

Q Do you remember a big plane crashing here at Longueil at the end of June of this year?

A Yes.

Q Do you know the exact date and the time of day?

A It was the 24th June, around noon.

Q Did you see the crash yourself?

A No. I appeared upon the scene when the plane had already crashed.

Q Did you see the plane after it had crashed?

A Yes.

Q What time did you see it?

A Half past 12.

Q Did you see any of the occupants of the plane?

A Not at that moment.

Q Did you see any of them at a later time?

A Yes, I saw some the following day, since I helped to transport the corpses, with other people.

Q Did you in fact provide, or were you instrumental in providing the coffins yourself?

A My wife helped to provide the coffins, as the joiner declared he had no wood. My wife obtained some from the Germans, and the Germans agreed to give some wood. At that time we had to find planks which had already been made, since we had no electric current.

Q Who paid the joiner for his work?

A Up to this time this sum has not been paid. The memoranda and the bill have been sent to the Prefecture, but no action has been taken on them as yet. About two weeks ago I received a note from the Prefecture, who required additional details on the matter.

Q Did you see the two bodies before they were put in the coffins?

A Yes, since M. Feron and I saw to the transportation of the bodies. It was with M. Feron and two other

EXHIBIT No. 8.

volunteers of the Commune that I undertook to put the bodies in the coffins. We later went out to the cemetery, where we buried them.

- Q Did you see how they were wounded ?
A It was rather difficult to judge at the beginning, since they were not washed and consequently full of blood. When we eventually put them in the coffins the corpses were already decaying.
- Q So you cannot say very much about where they were wounded, or how ?
A I saw that one had been probably wounded in the head.
- Q And the other ?
A I cannot tell, as there was blood on both of them.
- Q Do you know what their nationality was ?
A I have papers which I showed the Canadian captain the other day. I believe they were American.
- Q Can you tell me where the papers are ?
A These papers were given to me by a sergeant in the Luftwaffe, and I have them among my official papers here. If you wish, I will show them to you. (The Court decide to see the papers later).
- Q On what day were the airmen buried ?
A On the Wednesday, June 28th.
- Q Do you know the name of the German units that were stationed here at that time ?
A My wife has their name and number and she can provide them later on. She knows the names of one or two German officers.
- Q Do you know how long the units had been at Longueil ?
A One unit had arrived only that morning, the 24th June.
- Q Was there any other besides that, that had been here longer ?
A There were other units; one of them had been here for several months; they were armed with little anti-tank guns. Another unit, a few men under a non-commissioned officer, were attached to a larger unit stationed at St Denis d'Aclon.
- Q Do you know who commanded any of these units ?
A I do not know the names, but my wife does know.
- Q Have you any official records in the Mairie of any units that were here ?
A We have the requisition chits for transport, on which the numbers appeared. There is a special dossier with those things in it.
- Q Could you produce that and let us take extracts from it, or give us certified copies ?
A You may have them. Some, however, have been sent to the Prefecture to obtain payment for requisitions, but there are some here still.
- Q Are there any which you can actually give to us to take away ?
A I am not exactly conversant with those details. My wife was mainly concerned with them and you can ask her.

EXHIBIT No. 9.

Q. Was there any other company here that had come more recently ?

A. The same day another company arrived in the village during the night; this company came from Paris, but had probably spent a few days at Ambrumesnil.

Q. Do you know the Field Post Number of that company ?

A. No, I do not know it; my husband might have it in his papers.

Q. Do you know the name of the officer in charge ?

A. Oberlieutenant SCHROER.

Q. Then there was another company stationed nearby, in some other village ?

A. There was one at St. Denis d'Aclon and at Longueil, but on the other bank of the river, also at Quiberville.

Q. Do you know the Field Post Numbers of any of these units ?

A. Only the one at Quiberville, which was 189530.

Q. Do you know who commanded that company ?

A. It was Lieutenant, now Oberlieutenant, RUSCH.

Q. Was he promoted later on ?

A. Yes. Oberlieutenant Rusch was here at the time of the accident.

Q. Here in Longueil ?

A. In the Mairie.

Q. What did he do ? Did he stay in the Mairie or did he go out ?

A. He stayed in the Mairie five or ten minutes after the crash; afterwards, he went out. Since we did not know what it was that had crashed, we were not very sure about what had happened.

Q. Do you know whether soldiers from the company here were present at the crash when it took place ?

A. Personally, I do not know.

Q. How did you come to know the names of these German officers ?

A. By the papers which they brought to the Mayor's office and the signatures they left on the requisition chits.

Q. And you have still got some of those papers here, have you ?

A. Yes, perhaps.

Q. We should very much like to take these papers as exhibits. Can you allow us to do so without causing any inconvenience ?

A. You may keep them, if you wish.

(Eight German requisition chits were put in and marked Exhibits "C1", "C2", "C3", "C4", "C5", "C6", "C7", "C8").

Q. You hand in to the Court these requisition chits or papers which I have marked "C1" to "C8" ?

A. Yes.

EXHIBIT No. 9.

Q And you tell me that these are papers which were given to you by the German unit then in Longueil ?

A Yes.

Q On the dates shown on the requisitions ?

A Yes.

Q In order to obtain labour or conveyances from you, from the inhabitants of Longueil ?

A Yes.

Q And they are signed by officers or under-officers of a German unit ?

A Yes.

Q Do you recognise the signatures of those exhibits ? (Handed to witness).

A Yes.

Q Do you say that the one which I have marked "C1" is signed by the Oberlieutenant who commanded the unit which arrived on the morning of the 24th ?

A No, I do not believe so; it does not seem to read there.

Q Did you know the name of a German soldier here named Fritz Hachmida ?

A I did not know the names of the soldiers at all; I knew one Pole whose first name was Franz.

Q You do not know whether there was an officer at the place where the machine crashed at the time, or soon after the time ?

A No.

(Exhibits "D1" and "D2" are produced to the Court).

It: Col. BUSHMAN: I hand you Exhibits "D1" and "D2", and ask you to tell the Court what they are: You have them in your possession at the Mayor's office and you have now turned them over to this Court ?

A Yes. They are some papers which were handed to me by an airman in the Luftwaffe.

Q These papers were brought to you by an under-officer in the Luftwaffe ?

A Yes.

Q Do you know what grade the person had who handed you the papers ?

A No, I do not know.

Q But it was a German and a member of the Luftwaffe, so far as you recall ?

A Yes, he told me so.

Q Now the writing in pencil that appears on the paper was made by someone other than you ?

A Yes. It was the non-commissioned officer who wrote it down.

Q Now the Exhibits "D2" and "D1" are both written in German ?

A Yes.

RECORD OF THE FURTHER EVIDENCE

of

M. ALFRED FERON.

M. ALFRED FERON is recalled on his former oath and further examined as follows:-

Lt.Col. BORASTON: M. Feron, you are still under oath. You went with us at about 3 o'clock today to the place where the aeroplane crashed?

A Yes.

Q And there I asked you to arrange certain of your companions, placing one to show where you saw the aviator sitting on the bank, and another where you saw the German shoot at the aviator. I asked you at the same time to stand at the place where you had seen this happen?

A Yes.

Q And then I told you that I was having a photograph taken of that scene?

A Yes.

Q And you have reason to believe that a photograph was taken?

A Yes.

Q Then I asked you also to place one of your friends in the same place where that airman was whom you saw shot, another person in the place where you saw an airman lying in the lane?

A Yes.

Q And I asked you and your friends to station yourselves where the Germans were?

A Yes.

Q And you did that?

A Yes.

Q And you have reason to believe, you understand that another photograph was taken of that scene?

A Yes.

Q Prior to this, you showed me the aeroplane which you had seen crash?

A Yes.

Q And which had broken into two pieces?

A Yes.

Q When you saw it, I understand that the aeroplane pieces were scattered more widely; is that correct?

A Yes. There were parts in the middle of the road and, generally, they were more scattered about.

Q And the smaller pieces were all collected where the two main pieces now are?

A Yes. but there are still some small pieces scattered around.

EXHIBIT No. 10

Q And you saw me arrange for photographs to be taken of that aeroplane from two positions?

A Yes.

Q And those pieces of the aeroplane are the pieces of the aeroplane which you saw crash on the 24th June?

A Yes.

Q After that, I asked you to take the photographer to the cemetery?

A Yes.

Q And there did you show him the two graves where these two airmen were buried?

A Yes.

Q And did he there, under your direction, take a photograph of those two graves?

A Yes.

Lt.Col. BUSHMAN: What is the exact name of that cemetery?

A The Cemetery of Longueil.

(The witness withdraws)

EXHIBIT No. 11

- Q Can you estimate his height?
A Perhaps one metre 67 or 68.
- Q And can you make a suggestion of his age?
A 25 to 30, perhaps.
- Q Do you know the colour of his eyes?
A I have the impression they were brown eyes, but it is only an impression.
- Q Where did this officer, whom you understood shot the airman, come from? Did he come from Longueil or the other place?
A I cannot tell.
- Q You told us that one of the two officers you had seen had only recently arrived. I want to know whether the officer whom you think fired the revolver shots was the officer you think had been here for some time, or whether he was a newcomer?
A I believe that the one who fired was the one who had just arrived, because the other one arrived later.
- Q Do you mean that the one who had been in Longueil for some period came to the scene of the crash at a later time?
A Yes, he came a little later on the same day.
- Q After you had heard the shots?
A Yes, after I had heard the shots.
- Q But the officer who was there when you heard the shots was the officer who had only just come to this district?
A Yes, I believe so.
- Q Do you know what happened to the officer after he had fired the shots?
A At that moment a lot of officers and soldiers came upon the scene, and I could not follow any more of his actions.
- Q Do you know of any other airman being shot on that day?
A From where we were standing we saw two parachutes falling in the direction of Quiberville.
- Q But do you know of any other airman being found near the place where the aeroplane crashed?
A No, but I saw two.
- Q Then am I right that you know of two airmen who were found where the aeroplane crashed?
A Yes, two airmen were found there. When I arrived upon the spot we took them both off the road and put them in the field.
- Q Were they both dead?
A I do not believe they were both dead because the one I saw, the one M. Guilan had said had been shot by the officer, was still breathing. The doctor even wanted to take him to the hospital.

Q Did you see, or do you know anything of your own knowledge, of how the other aviator was killed?
A I do not know how he was killed, but I think that if he had not been fired at he would still have been living.

Lt.Col.MACDONALD: Where was the officer standing with relation to the aviator when you first saw them together?

A He was about as far away as I am from you now.

Q Would that be about three metres?
A Three to four metres, at the most.

Q Did he have his pistol in his hand or had he put it away?
A It was back in his case; I did not see him with a revolver in his hand.

Q Was there any other officer there at that time?
A At that moment he was still alone.

Q Were there other German soldiers near him at the time?
A Perhaps a dozen.

Lt.Col.BUSHMAN: You were about 40 metres away from the plane when it crashed?

A Yes.

Q And when the plane crashed you moved back out of the way, some distance?
A Yes, I moved back some distance.

Q When the plane crashed it killed two of your cattle?
A Yes, and wounded another one severely.

Q Now when you moved back, what was the maximum distance that you were away from the plane at that time?
A About 60 metres.

Q Then you immediately went up toward the plane; is that right?
A Yes.

Q Did you see the aviators at that time?
A Yes, at that moment I saw them in the road.

Q Did you see one of them sitting on the bank holding his head in his hands?
A No, I did not see that.

Q Did you see any German soldiers at that time?
A Yes, we saw some.

Q Did you see any soldiers armed with rifles?
A Yes, we saw two armed, each with a rifle; the others also had rifles, but on their backs, slung.

Q Did you see a soldier shoot with a rifle at either of the aviators?
A No, I did not see them.

Q You were out looking after the cattle at that time, were you?
A No, I was in the beetroot field.

EXHIBIT No. 11

A I believe he was a Pole.

Q Did you ever hear any of these men, either Hachmida or his companion, say that they had shot an aviator?

A No, I did not hear.

Lt. Col. MACDONALD: Was the young officer who congratulated Hachmida the one that you said came from Bosseville?

A Yes, it was.

Q How did you come to know this officer so well if he came from Bosseville?

A Because every two days he would come to visit the gun emplacements.

Q Was this officer in charge at Longueil?

A Yes, he was.

Q Will you describe the personal appearance of this officer?

A He was about 21, very very young-faced.

Q How tall?

A He was quite tall, perhaps a metre 70 to a metre 71.

Q Fair or dark?

A Fair.

Q Stout or slim?

A Very slim.

Q Clean-shaven or moustache?

A Clean-shaven.

(The Witness Withdraws)

RECORD OF THE EVIDENCE

of

M. MARCEL CRAMPON

M. MARCEL CRAMPON is called and, having
duly been sworn, is examined as follows:

- Lt.Col. BORASTON: What is your full name, surname and Christian names?
A Crampon, Marcel.
- Q Where do you live?
A Longueil.
- Q What is your occupation?
A Motor driver or chauffeur.
- Q How old are you?
A Thirty-two.
- Q Do you remember a big aeroplane crashing on M. Andre Ras' farm towards the end of June last?
A I was working at M. Ras' farm.
- Q At the time when the plane crashed?
A Yes.
- Q And what date exactly in June was that?
A The 24th of June.
- Q And what time of day was it when it crashed?
A Noon, about noon.
- Q And you were working on the farm?
A Yes.
- Q What did you do when you saw the plane crash?
A I saw the plane come towards me. As I saw the plane coming towards me I got out of the way.
- Q And then?
A And then when I heard the crash of the plane as it hit the ground I retraced my steps and at that moment I saw about 10 Germans standing around the wreckage and I saw a German soldier put his rifle to his shoulder and fire 2 shots.
- Q Did you see what the German soldier was firing at?
A The first soldier who was sitting on the bank with his head in his hands.
- Q When you say "the first soldier" what sort of soldier do you mean? English, French, German or what?
A The first airman that I saw.
- Q Do you know where the aeroplane came from?
A It was coming from the sea to crash on the field in which I was.

EXHIBIT No. 12

Q Do you know if the body was washed and buried at a later date?

A The body was washed on the 26th by my wife.

Q Who brought the body down for your wife to wash it?

A The body was taken off the grass by M. Feron and put at her disposition by M. Feron himself on his property.

Q At the disposition of your wife?

A It was my wife who washed the airman.

Q Did she wash any other aviator besides that one?

A No, M. Feron washed the second and my wife washed this one.

Q When the body was washed did you see it?

A Yes, I saw the body.

Q Could you see where the bullets had struck the airman?

A There was a bullet hole in the middle of the forehead, another on the right side of the forehead and a bruise on the right cheek.

Q Was the bruise on the right cheek caused by a bullet or otherwise?

A It had been caused by the aeroplane crash.

Q Was it a wound from which the aviator could have died?

A No.

Q When you saw the body what clothing was there on it?

A I could not see him since he was covered with a sheet.

Q Do you know if the body had any identification discs or other marks of identity on it?

A No, I do not know.

Q Could you describe the features of the dead airman?

A He was heavy built, with brown hair and very tall.

Q Was he clean-shaven or did he wear a moustache?

A He was very close-shaven.

Q Did you take part in the burial of the dead airmen?

A No, I was not able to be present.

Q Do you know the German unit that was quartered at Longueuil?

A No, I did not know them.

Q Did you know any of the German units located in the neighbourhood?

A No, I did not know the units stationed here.

Q Did you know any Germans in any way personally?

A If I saw them now I could recognize the faces of those that were at M. Feron's.

Q How many were at M. Peron's?

A Ten.

Q Soldiers, officers or NCOs?

A One NCO and 9 men.

Lt.Col.BUSHMAN: How long after the shooting did Dr. Thelu arrive?

A Ten to fifteen minutes at the most.

Q Did you hear any pistol shots fired after you heard the 2 rifle shots?

A No, I did not hear any.

Q After you heard the 2 rifle shots did you go any closer to the aviator that was shot?

A I moved closer, but a German guard prevented us from moving closer to the aircraft.

Q Did you remain in the neighbourhood for a long time?

A I remained within about 80 metres of the aircraft for about half an hour.

Q During the time you remained in the neighbourhood did you see any German officers arrive?

A I saw a few officers who searched the fields with their men to see if there were any other airmen.

Q Can you remember how many officers there were?

A Three or four.

Q And were they Lieutenants?

A I do not know. I don't know their ranks.

Q Did you see any of these officers go up to the wreckage of the plane or place where the dead aviator lay?

A The officers gathered beside the bodies.

Q By that time they had placed the two bodies of the aviators on the bank where you could see them?

A By that time the two bodies had been taken off the road and placed on the bank with a blanket over them. You could see their legs.

Q Now prior to that time had you seen any of the officers with pistols in their hands walking around?

A Before the moment that the bodies were raised?

Q Yes.

A At that moment the bodies were in the road and the officers were searching the fields with their men.

Q Now what I want to know is whether or not any of these officers approached the wreckage after the soldier had shot the aviator that was sitting with his head in his hands?

A After the two bodies had been raised and put on the bank several officers examined the wreckage.

Q Have you heard that the second aviator was shot by a German officer?

RECORD OF THE EVIDENCE

of

DR. RAYMOND THELU

DR. RAYMOND THELU is called and, having been duly sworn, is examined as follows:-

Lt.Col.BORASTON: What is your full name?

A Thelu, Raymond.

Q Where do you live?

A Ouville-la-Riviere.

Q What is your occupation?

A A Doctor of Medicine.

Q What is your age?

A Thirty years.

Q Do you remember an aeroplane crashing near Longueil towards the end of June?

A Yes, the 24th of June.

Q And what time of day was it?

A Around noon.

Q Could you identify on a map the place where the aeroplane crashed? Here is a map?

A Yes, it was here where I have marked two pencil marks, one part on one side of the road and the rest on the other side. (Witness being shown a new and unmarked copy of the map shown to the witness, M.A. Feron, marks hereon in pencil two dots, of which one corresponded exactly with the dot marked "A" on Exhibit A, and the other is shown on Exhibit A by the dot "." marked "B". The map references are 125.649 and 126.647 on Exhibit "A").

Q What actually were you doing at the time you saw the aeroplane crash?

A I was with a patient at Quiberville Sur Mer.

Q Do you mean you were actually with a patient or were you travelling there or back?

A No, I was at the house of the patient. I was about to leave the house and was getting ready to leave. I was on the doorstep.

Q And what did you do?

A I heard a rather loud noise of firing and I thought for a moment that it was a fighter plane that was coming to strafe. Then I saw a rather large plane with motor cut off getting ready to land.

Q And did you actually see the machine hit the ground?

A No, since it fell beyond a curtain of trees.

Q What did you do then?

A I left Quiberville to go to the spot

EXHIBIT No. 13

A where the aircraft had crashed. As I left Quiber-
ville I was stopped for a few minutes at the en-
trance to the village by Germans who blocked the
road. As I was a doctor I insisted that I be
allowed to proceed and they let me pass.

Q How long was it after the aeroplane crashed that
you got there?

A About 10 minutes.

Q What did you find when you did arrive there?

A When I arrived I found two bodies of airmen in
a sunken road.

Q Did you go up close and look at them?

A I was first at some distance and the Germans pre-
vented me from approaching closer. I told them I
was a doctor and they allowed me to approach.

Q Will you say exactly where each of the two bodies
was lying?

A Yes. They were both lying in the road, one below
the other, one of them being about the same dis-
tance from the other as I am from the end of the
road.

Q There is a slight slope to the road there?

A Yes, it is a sunken road and it has a gentle slope
to it. The one that was on the upper part of the
slope was in a coma when I arrived, but was still
alive; the other was dead.

Q The two bodies when you first saw them were about
5 to 6 metres apart. Is that right?

A Yes, about 5 or 6 metres. A cow which had been
killed by the crashing aircraft was a little above,
so that the bodies lay in the following order - -
the cow, one airman and the other.

Q And that was the arrangement. You say the one who
was nearer to the cow, that is, the one highest up
the hill, was still alive?

A He was in a coma but still alive.

Q Did you examine that body to see if you could save
him?

A Yes, I first examined the one body and found he was
still living, but in a coma. I then went to examine
the second one. Finding he was dead I returned to
the first to see if I could help.

Q Could you do anything?

A No, there was nothing I could do, nothing. He was
wounded in the middle of the forehead and on the
right of the forehead. These wounds seemed fatal,
especially since the blood flowed freely from the
one in the middle of the forehead.

Q Had that airman any other marks on the face?

A No, it was extremely difficult to determine since
he was covered with earth. He had earth in his hair,
on his face and in his clothing. He was moreover
covered with blood. Furthermore, blood from the
cow also covered him.

EXHIBIT No.13.

Q Were you able to tell from the uniform or otherwise to what nationality the airmen belonged?

A I had seen the plane with a star on it and I concluded that it was an American plane. There were not many distinctive signs on the uniform since they wore their airmen's leather clothing. There might have been one or two small insignia but I did not notice.

Q Did you notice what they were?

A No.

LT.COL.BUSHMAN: The aviator that was dead when you arrived was about 6 metres away from the aviator that you were looking after?

A Yes, about 6 metres. They were both in the sunken road some distance apart.

Q Now this one that was dead when you saw him, did you observe any bullet wounds on him?

A No, I did not see. He seemed to have wounds which might have been caused by crashing. I even asked myself for a moment, without stopping to think about it, if he had not died in the crash of the plane.

Q Did you observe any blood on his face or neck which might indicate a bullet wound?

A No. As he was dead and the other one still alive I was mainly concerned with the one that was alive.

Q I would like to qualify you as a doctor and I will ask you certain questions for that reason. Are you a graduate and, if so, will you give us the name of the institution?

A I am a graduate of the Faculty of Medicine of Paris.

Q And what year did you receive your diploma?

A 1942, on March 17th.

Q And do you hold Degrees from any other school?

A No.

Q And after receiving your diploma did you enter into the practice of medicine?

A Yes. As a matter of fact I practised a little before, as in France we are allowed to practise as a replacement before submitting a thesis. I was an interne for several years at Rouen and the Psychiatric hospitals in the district around Rouen.

Q And you are duly licensed to practise medicine in France?

A Yes.

Q And ever since March 1942 you have been engaged in the practice of medicine?

A Even before that I had been authorized by the College of Doctors to practise medicine and I have practised medicine at Ouville-la-Riviere since February 2nd.1942.

EXHIBIT No.13.

Q Now, basing your opinion on your experience as a member of the medical profession and upon your observations, which you made on June 24th, 1944, which you have testified about, what in your opinion caused the death of Lieutenant George L. Roth?

A I believe that the wound under the arm was not a fatal one but that the cause of death was due to the wound in the forehead since the cerebral matter was oozing through this aperture in the forehead. His breathing was the breathing of one who has a very serious cerebral wound. It is this breathing which we call "stertorous breathing".

LT.COL.BORASTON: Did you notice anything about the other airman having been relieved of his property?

A I did not see it myself.

Q I have a note here I am trying to clear up about a ring being worn by the other airman. Do you know anything about that?

A No, I do not know anything about it at all. I was told that this ring had been taken away from him, but I did not see it myself. It was because of this that I removed the wrist watch.

LT.COL.BUSHMAN: Drawing your attention to the identification discs which you saw and which were taken from the dead aviator, will you describe them to the Court?

A It seems to me that there were discs of white metal, of the size of a large medal.

(The witness withdraws).

EXHIBIT No. 14.

- A On the right arm I don't know as he had his clothes on but in the forehead there were two bullet holes.
- Q Were there any other wounds you know of besides those which you have described ?
- A No, I saw no other wounds.
- Q What clothing had the body on it when you cleaned it ?
- A Grey-blue trousers, a jacket with zipper fastened front and grey socks.
- Q Had he any boots on ?
- A No boots on.
- Q Was there anything of an airman's uniform ?
- A No, I could not see anything. The Germans had taken everything away from him.
- Q Did you take some photographs of the body ?
- A Yes, I took photographs of the body.
- Q Are these the ones ?
- A Yes.
- Q We have marked these two photographs "E1" and "E2" and we are going to enter these as Exhibits "E1" and "E2" in our evidence. Do you say that you took those photographs yourself of the airman you washed ?
- A Yes. They are photographs of the same body.
- Q Where did you find that photograph ?
- A Someone found it near the plane.
- Q And we have marked this third photograph "E3" and we are going to enter it as Exhibit "E3" in this case. Will you say how it came into your possession ?
- A I asked the person that found it to give it to me, so that I could give it to Captain Gauthier.
- Q Who gave it to you ?
- A The young man who found it, M. Tauvel.
- Q Where does he live ?
- A At Longueil.
- Q And do you know where he found it ? Did he tell you where he found it ?
- A Yes, right by the wreckage of the aircraft.
- Q Did he say at what time and what day he found it ?
- A No.
- Q Do you know the day on which he found it ?
- A No, I do not know.
- Q Is M. Tauvel still at Longueil ?
- A Yes, he is still at Longueil.
- Q Is that photograph like the body that you cleaned up ?
- A Yes, I would know him very well; perhaps a brother but if so they look very much alike.
- Q Can you describe what these two photographs, Exhibits "E1" and "E2" represent ?
- A This photograph, Exhibit "E2", represents the soldier I washed.

RECORD OF THE EVIDENCE

of

M. ALEXANDRE QUILAN

M. ALEXANDRE QUILAN is called and, having been duly sworn, is examined as follows:-

Lt. Col. BORASTON: What is your full name, M. Quilan ?
A Quilan, Alexandre.

Q Where do you live ?

A Longueil.

Q What is your occupation ?

A Carpenter.

Q How old are you ?

A Sixty.

Q Do you remember an aeroplane crashing at Longueil ?

A Yes.

Q Was that on the 24th of June ?

A Yes.

Q At about mid-day ?

A Yes, about mid-day.

Q Where were you at the time ?

A I was going up the road to M. Ras' farm.

Q How far were you from the aeroplane when you saw it crash ?

A I saw the aircraft come down very low but I did not actually see it crash.

Q Did you hear it crash ?

A Yes.

Q How far away were you when you heard it crash ?

A Four hundred metres away.

Q What did you do then ?

A I was going home to lunch, but I went to see the plane.

Q Did you run or walk ?

A I was walking very quickly.

Q How long do you think it took you before you got in sight of the aeroplane ?

A Ten minutes.

Q How long was it after you had heard the plane crash before you saw it ?

A Ten minutes later I was at the spot.

Q What did you find when you got to the aeroplane ?

A I found two airmen lying in the road and two of M. Ras' calves.

Q Were they all dead ?

A One of the airmen was not dead yet, since the officer shot him under my own eyes.

EXHIBIT No. 15.

1
Lt. Col. MACDONALD: From which direction did you approach the bodies ?

A From the direction of the Mairie.

Q Were you coming from the south and the east ?

A From the south.

Q And which did you come across first, the body of a cow or the body of an airman ?

A The airman.

Q And what was next on the road ?

A Another aviator and then the calves.

Q Which of these aviators was it that the officer shot ?

A The second.

Q Was that the one next to the first cow ?

A Yes.

Q Did you not say yesterday that this aviator was lying on his stomach ?

A He was lying on his back.

Q How do you know this second airman was still alive ?

A I saw him. I saw when I came upon the spot that he was not dead.

Q Was he moving ?

A He moved a little when the German fired at him.

Q Where was the first aviator lying ?

A It was two metres away from the other but he was dead when I saw him.

Q In what position was he lying ?

A On the back also.

Q Was he on the road or on the bank at the side of the road ?

A In the road.

Q Did you step over the body of the first to look at the second ?

A No, I passed in the grass since I could not go the other way.

Q How many shots did the officer fire ?

A Two.

Q What did he do after firing ?

A After he motioned me to go away ?

Q What did the officer do ?

A He moved back.

Q Did he go closer to the body ?

A No.

Q Do you know where the body of the second aviator was hit by the bullets ?

A I saw the blood come from the left side of the forehead and when the doctor took his clothes off they found a wound in the heart.

Q Where was the aviator wounded ?

A I don't know.

EXHIBIT No. 15.

- Q : Did you notice any bullet wounds in the first aviator ?
- A I could not stay very long and I did not have a chance to observe anything because they made us move back.
- Q Did you see the doctor take the jacket off the second aviator ?
- A Yes, I saw the doctor undress him.
- Q How could you do this if you were told to move away ?
- A I was standing right beside him when the doctor undressed him and I heard the doctor say he should not have fired on him since he wanted to take him into Dieppe into the hospital.
- Q How was it that you were able to see this after having been told to move away by the German officer ?
- A It was before.
- Q What do you mean by "before" ?
- A Before the German told me to go on, I had seen Dr. Thelu undress the body.
- Q Did the officer fire at the aviator before the doctor came or after the doctor arrived ?
- A The German had fired at the aviator before Dr. Thelu came.
- Q Was it immediately after he fired that he told you to go away ?
- A Yes.
- Q How far did you move ?
- A No, I did not go very far because afterwards we busied ourselves with taking M. Ras' calves away. We moved them 5 or 6 metres away.
- Q How long was it after this that the doctor came ?
- A Not very long afterwards; ten minutes, perhaps.
- Q Did you come back when the doctor arrived ?
- A No, I was near the body when the doctor arrived.
- Q How far away from the body were you ?
- A Four metres.
- Q I show you Exhibit "G", which is a rough sketch which I have made from one that you produced for us. Will you now answer the questions I will ask you about it ?
- A Yes.
- Q Is this place I am now pointing at, where I have written "Mairie", the Mairie you have referred to ?
- A Yes.
- Q And is this the road you followed leading from the Mairie to the dead aviators ?
- A Yes, it is.
- Q Is this place that I have marked with an "X" and written "First Aviator" beside the place where you saw the first aviator ?
- A The first aviator.

RECORD OF THE EVIDENCE

of

M. ALFRED BARQ.

M. ALFRED BARQ is called and, having been duly sworn, is examined as follows:-

Lt. Col. BORASTON: What is your full name ?

A Barq, Alfred.

Q Where do you live ?

A Longueil.

Q What is your occupation ?

A A retired road worker.

Q How old are you ?

A Sixty-one.

Q Do you remember an aeroplane crashing near Longueil last June ?

A Yes.

Q Was that on the 24th June ?

A Yes.

Q What time ?

A Noon, or 10 to twelve.

Q Did you see the plane crash ?

A Yes.

Q Where were you at the time ?

A I was in M. Has! beetroot field.

Q What did you do when the plane crashed ?

A I saw the plane going in the direction of Quiberville. When I saw it turn and come towards me, I took shelter, so as not to be hit, about 70 metres away.

Q What did you do when you saw that the plane had actually come down ?

A So as to get away from the place the plane crashed we moved back to from 100 metres to 110 metres away.

Q Then afterwards did you go up towards the plane ?

A After the plane had crashed we turned and made our way back to it.

Q Were there any Germans there then ?

A The Germans were not there yet.

Q What did you see when you arrived ?

A The Germans came 3 or 4 minutes afterwards.

Q Did you see any airmen before the Germans arrived ?

A Yes, I saw the airman about 100 metres away when the German fired at him.

Q Did you see the airmen before the Germans fired at them ?

A Yes, he was sitting on the bank with his head in his hands.

EXHIBIT No. 16.

- Q Did you see another airman besides that one ?
A The other airman I could not see as he was too low.
I could not see him from where I was.
- Q Did you see what happened to the airman sitting on the bank ?
A I saw a German soldier come and fire two rifle shots into his head.
- Q How far was the German from the aviator when he fired ?
A Fifteen to sixteen metres, no more.
- Q How far away were you from the German soldier ?
A From 90 to 100 metres.
- Q Do you know whether the German soldier said anything to the airman before he fired ?
A No, I don't.
- Q Did you see what happened to the airman after the shots were fired ?
A He fell on the road in a position like the man yesterday was lying in.
- Q Was there anything between you and the airman you saw shot ? Was there any obstruction in the road ?
A No, there was only the German soldiers who came later.
- Q Was the German soldier who shot him alone ?
A No, there were several together.
- Q How many Germans fired ?
A There was only one.
- Q Do you know the German ?
A No. They were all dressed alike. I did not know whether he was a Pole or a German.
- Q Had you seen him before ?
A No, I had never seen him before.
- Q Do you know what happened to him ?
A He left with his friends.
- Q Do you know what happened to the airman after he had been shot ?
A They picked him up and put him on the bank.
- Q Did anybody go and look at him after that ?
A German soldiers remained by him all through the afternoon until that evening.
- Q Did you remain in the beetroot field ?
A Yes, I stayed for about an hour afterwards.
- Q Did you hear any other shooting ?
A Yes, I did.
- Q What was that ?
A Yes, it was probably a German firing more shots at the aviator. There were two shots.
- Q Do you know what kind of shot or shots they were ?
A They were shots.

RECORD OF THE EVIDENCE

of

Mlle. JACQUELINE CARPENTIER

Mlle. JACQUELINE CARPENTIER is called and,
having been duly sworn, is examined as follows:-

It. Col. BORMSTON: What is your full name ?

A Carpentier, Jacqueline.

Q Where do you live ?

A Longueil.

Q What is your occupation ?

A I am a maid servant at Dieppe.

Q What is your age ?

A Eighteen.

Q Do you remember the aeroplane which crashed at Longueil in June ?

A Yes, I remember it very much.

Q Where were you working at that time ?

A I was working in Longueil.

Q At whose house or farm ?

A At the farm of M. Bouclon.

Q Is that M. Paul Bouclon ?

A Paul Bouclon, yes.

Q How long had you been working there ?

A I had started on the 14th of February.

Q Were there any German soldiers billeted on the farm ?

A Yes, there were.

Q How many ?

A Two.

Q Were there any others living in that neighbourhood ?

A Yes, there were others who slept in dugouts.

Q Do you know the names of the two who were living on the farm ?

A Yes.

Q What were the names ?

A Fritz Aschmitat and Joseph Sossna.

Q You did not see the plane crash yourself ?

A Yes, I did.

Q Did you see what took place at the scene of the crash ?

A Yes.

Q Did you see any Allied aviators there ?

A Oh, I saw them dead later.

Q After you had seen the crashed plane did you go back to the farm ?

A Yes.

Q About how long after was that ?

A Twenty minutes, perhaps.

EXHIBIT No. 17.

- Q Did the two German soldiers return later ?
A Yes, later.
- Q Can you remember how much later it was ?
A Two hours, perhaps. I do not know for sure.
- Q Did you hear them talk after they returned ?
A Yes.
- Q What did they say ?
A They were saying that they had killed the airmen.
- Q Did they say they had killed two airmen or only one airman ?
A They told me they had killed the airmen. I don't know whether they said one or two. Some say two, others say one; I don't know for sure.
- Q Were they talking in German or French ?
A They were speaking in German.
- Q Do you understand German ?
A Yes, a little.
- Q Can you say to the best of your recollection what words they used and which one used them ?
A Aschmitat told me that he had killed the airman on Sossna's orders.
- Q Did he say how he had killed him ?
A With his rifle.
- Q Did he describe the shooting in any way ?
A No.
- Q How long had Aschmitat been living at the farm ?
A Since February 14th.
- Q Can you say what Aschmitat looked like ?
A He was tall, strong, with brown hair.
- Q Any marks on his face ?
A He had a mark on the leg but not on the face. He has a misshapen foot.
- Q Which foot is that, the left or the right ?
A I don't remember.
- Q Had he a clear skin in the face or a discoloured face ?
A Yes, a dark skin, rather discoloured.
- Q When you say "discoloured" were there any marks on the skin ?
A I don't mean he had any particular marks. He was rather old and his skin was weathered.
- Q How old was he ?
A Forty years old, I believe.
- Q Will you describe Sossna ?
A Dark curly hair, strong, brown eyes.
- Q How tall was he ?
A Medium height.

EXHIBIT No. 17.

Q Do you know whether Sossna had a rifle at that time ?
A No, he did not have any.

Lt.Col. MACDONALD: How do you know that Sossna was a corporal ?

A I was the one who sewed on the insignia.

Q What was it like ?

A It was a single "V" on the sleeve.

Q And what sort of insignia had Aschmitat?

A A "V" also.

Q Two "Vs" or one ?

A A single.

Lt.Col. BORASTON: Which was sewed on first ?

A They had had them on for some time then. I sewed them back on again since they had come off.

Lt.Col. LUSHMAN: Why are you so sure that Sossna did not have a rifle on that particular occasion ?

A It was meal time and they had come to the farm to get their soup. He had his mess tins and he left immediately without a belt or anything.

Q Did Aschmitat leave too at that time ?

A Aschmitat went up to his room to get his rifle and left immediately.

Q Then Sossna went ahead of Aschmitat ?

A Yes.

Q How many minutes was it before Aschmitat came down with his rifle ?

A He went up and came down as quickly as possible.

Q How far were you from the place where the plane crashed at that time ?

A One hundred metres, perhaps.

Q This occasion when Aschmitat and Sossna told you they had killed an airman, was that upon their return after they went out ?

A Yes, when they returned.

Q Do you recall when they returned whether Sossna had a rifle with him ?

A No, he had no rifle.

Lt.Col. MACDONALD: We have been told that the proper way to spell this soldier's name is "Hachmida". How do you know that "Aschmitat" is the proper way to spell it ?

A Because the letters he received came to the kitchen and I always looked at them.

Q This is the way it was spelled on his letters: "Aschmitat" ?

A Yes.

Q Did you see many of his letters ?

A I always saw them. Yes, as all the letters were put on the kitchen table.

EXHIBIT No. 17.

Q Do you remember how the letters were addressed ?
A His company number was on.

Lt.Col. BORASTON: And Field Post Number ?
A Yes, 13958.

Q Was M. Bouclon's farm about 100 metres from where the plane had crashed ?
A Yes.

Lt.Col. MACDONALD: Do you know a soldier named "Bitch" ?
A Yes.

Q Did he stay at your farm ?
A No, but he ate there.

Q Did he go away with Aschmitat and Sossna the day the aeroplane crashed ?
A No, he did not leave with them; He came later.

Q What do you mean by saying he came later ? Later than what ?
A He arrived a few minutes later after the soldiers had been shot.

Q Did he come back with Aschmitat and Sossna, or later ?
A No, he came back with other soldiers.

Q How long after Aschmitat and Sossna ?
A I do not know for sure.

Q Five minutes, half an hour or an hour ?
A I know he came, but I do not know how long it was afterwards.

Q Was he carrying a rifle when you saw him ?
A No.

Q Did he say anything to you about being present when the aviators were shot ?
A No, he arrived a few minutes later and he searched the aviators.

Q Did he show you anything that he had taken from the aviators ?
A Yes.

Q What was that ?
A A watch.

Q What did he do with the watch ?
A He carried it for six days on his wrist, after which he left for the company.

Q Are you speaking still of Bitch ?
A Yes.

Q And was there any writing on the watch that you saw ?
A Yes. It had the number of the soldier on it.

Q Do you remember what that was ?
A No.

Q Did it have any name on it ?
A Yes, the name was on it.

RECORD OF THE EVIDENCE

of

M. LOUIS MARCEL ANDRE.

M. LOUIS MARCEL ANDRE is called and, having been duly sworn, is examined as follows:-

LT.COL.BORLSTON: What is your full name?

A Andre, Louis Marcel.

Q Are you the Chief of Police at Ouville-la-Riviere?

A I was the Chief of Police at Ouville-la-Riviere up until the 1st. of July. Since then I have been Chief of Police at Envermeu.

Q What is your age?

A I am 33 years old.

Q While you were Chief of Police at Ouville-la-Riviere did you furnish a report on a plane that crashed at Longueil?

A Yes.

Q In that report I believe you said that five aviators jumped by parachute before the crash?

A Yes, before.

Q Do you know what happened to those 5 aviators?

A I know that some were made prisoner. Being Chief of Police I had orders to arrest all parachutists. When my men told me that they had seen 5 parachutists I told them to remain in the Gendarmerie and not to meddle in that affair so the parachutists could find time to escape.

Q So you do not know exactly what happened to those five?

A They must have been made prisoner. The people in the district said they were made prisoner by the young lady who was here a short time ago but that was not proven.

Q Who was that?

A Mlle. Jacqueline Carpentier but the fact was not proven in court.

Q Were you present at the plane crash yourself?

A No, I was not. I refrained from going so as not to be obliged to arrest any aviators.

Q But in your report you say that Dr. Thelu arrived on the scene and looked after a wounded man?

A Yes.

Q And that wounded man died?

A Yes.

Q And he carried an identity disc with the name of Geo. L. Roth on it and certain numbers?

A Yes.

EXHIBIT No.18.

- Q Where did you get that name and the numbers?
A It was provided by Dr. Thelu.
- Q You also said in your report that two German soldiers boasted that they shot down the "Tommy"?
A Yes.
- Q And you give the names of those German soldiers; one as Joseph Sossnet, Polish, and the other as Fritz Aschmitat. Can you tell me how you got those two names?
A I obtained those names in the course of an inquiry carried out with Gendarme Monchausse. They were provided by the son of M. Lebret.
- Q Now the witness who was here last has written out the names of these two soldiers for us and has spelled them as "Joseph Sossna" and "Fritz Aschmitat" and she says she got those names from letters addressed to them. Would you say whether you agree that Mlle. Carpentier's spelling is likely to be correct?
A It is quite possible as the spelling of the names as they appear in my report is the phonetic spelling of these names as they would be in French and not with the true German spelling.
- Q In your report you also say that the body of Roth, the one who was identified, and his friend found dead in the turret of the demolished plane have been taken to M. Feron's?
A Yes.
- Q How did you know that one of the airmen was found dead in the turret?
A Since Dr. Thelu had only attended to one and the other being dead and having been carried away by civilians.
- Q Then you had no direct evidence that the body was found dead in the machine?
A No, I have no direct evidence myself but witnesses like M. Feron saw the aviator leave the plane staggering and it was at that moment that he was shot.
- Q You do not really know that there was any aviator dead in the plane at the time it crashed?
A I had not determined it for myself but according to my inquiry it would seem that one of the two aviators had been killed in the crash. However the inquiry was carried out under the greatest difficulty because of the presence of the Germans. I could only approach a certain number of people of whom I could be absolutely sure. In M. Feron's case, for instance, I had to insist upon him giving me his testimony as he was afraid of German reprisals.

(The witness withdraws).

RECORD OF THE EVIDENCE

of

LIEUTENANT-COLONEL ROBERT
ARTHUR HALIBURTON MACKEEEN.

Lieutenant-Colonel ROBERT ARTHUR HALIBURTON
MACKEEEN is called and, having been duly sworn,
is examined as follows:-

LT.COL.BORLSTON: What is your full name, rank and unit?

A Robert Arthur Haliburton Mackeen, Lieutenant-Colonel, R.C.A.M.C., First Canadian Base Laboratory.

Q Are you a pathologist?

A Yes.

Q And have you on the instructions of the Court visited Longueil, near Dieppe, and disinterred the bodies of two soldiers?

A Yes.

Q What date was that?

A October 10th.

Q Where were the bodies?

A The bodies were in the cemetery of the church at Longueil, near Dieppe. I was taken to the cemetery by M. Gervig, Secretary to the Mayor of Longueil.

Q Will you take each of the bodies separately, indicating which you are dealing with and tell us what you found; first, regarding any markings on the grave, second, any means of identification on the bodies, and, third, concerning the pathological condition of the bodies?

A The first body was in the cemetery at the church at Longueil. The cross at the head of the grave was marked "R.F. 24-6-44". The body was in a coffin in which there was a bottle containing a paper reading as follows:-

"Lieut. Inconnu

"Decede le 24-6-44

"a Longueil

"Veston de Laine Kaki

"Cheveux Blonds Plats"

The body was that of a heavy built, tall man, with long, thick, straight, fair hair. The clothes consisted of a battle dress blouse and American Officer's trousers of pearl grey colour. Under the blouse was a flying shirt with a shoulder insignia of the American Air Corps. There were no rank badges. On the waistband of the trousers on the inside and on the trouser pockets the following numbers were stamped as indicated:

X 1026 (3 times)

X 6620 (2 times)

X 5040 (2 times)

X 8772 (2 times)

The shirt was marked by the maker on the neckband "Schwartz" "Cincinnati". There were no bullet holes in the clothing nor was there evidence of burning. On the feet were socks only.

EXHIBIT No.21.

The head and face showed no abnormality externally. There was no evidence of singeing of hair nor burns of the face. On the left side of the neck there was a bullet wound one-quarter of an inch in diameter. This was directed slightly upwards and inwards. This wound lay behind the posterior edge of the sterno-mastoid muscle at the level of the cricoid cartilage. The bullet track passed back of the jugular vein and common carotid artery and penetrated the cervical vertebrae. The second, third and fourth cervical vertebrae were shattered. There was an exit wound in the right side of the neck three-quarters of an inch in diameter one inch behind the apex of the mastoid process. There was a fracture of the mastoid process but no penetration of the bone.

Body and limbs - no wounds and no abnormalities.

Summary - a small calibre wound of the neck from the left with fracture of the vertebrae.

Q I think it might be of convenience if the Court question about this first body before going on with the second one. Can you say from the nature of the entry or exit of this bullet whether it was fired from a German service rifle or a revolver?

A No, I cannot. It is a small calibre type. I would say 9 millimetre.

Q Did the wound cause instant death or not?

A It is probable.

Q Is there indication, can you say whether it was fired at close quarters or not?

A No, I cannot state definitely just how close it was fired from.

Q Was there any other mark on the body or the face of the corpse which would suggest possible injury not from a bullet but from the plane crash?

A No.

LT.COL.BUSHMAN: How long have you practiced pathology and where?

A Twenty years.

Q And where?

A McGill University.

Q And for the record where is McGill University located?

A Montreal, Canada.

Q And you are duly licensed to practise pathology in Canada?

A Yes and in the United States. I have the American Board in Clinical Pathology and Morbid Anatomy. I have practised at McGill University, Boston City Hospital and Dalhousie Medical School, Halifax, and at present I am on leave of absence from my post as Director of Laboratories for the Province of New Brunswick, Canada.

EXHIBIT No.21.

LT.COL.BOR.STON: I am afraid I don't understand where that superficial wound was. Will you explain in non-medical language?

A It was in the edge of the arm pit.

Q How many bullet wounds in all were on this body?
By how many bullets was this body struck?

A There were 3 head wounds.

Q Caused by three separate bullets?

A Yes.

Q And another bullet wound in the arm pit?

A I cannot be sure of the wound in the arm pit. It might have been a grazing wound or caused by striking something possibly when landing.

Q In the evidence before the Court one of these bodies shortly after death was observed to have a graze or tear on the right side of the cheek or cheek bone. Could you find anything on either of these bodies which would support that?

A Yes, the wound I described as being over the right zygoma is over the right cheek bone.

Q On the second body?

A Yes.

Q In your opinion could that have been caused by striking an object? Actually could it have been caused by the crashing of the aeroplane rather than by a bullet?

A No. The nature of the wound is such it is very clear that it was a bullet wound tracking through the cheek bone, the edge of the eye, through the roof of the eye and coming out in the front of the skull.

LT.COL.MACDONALD: Did you observe any broken bones on either of these two bodies where such breaking could not be attributed to bullets?

A No.

Q Did you see any evidence that either man had been injured in any way by the plane crashing?

A No, unless the wound in the axilla of the second body occurred in that way.

Q You have already said, I believe, that that wound could have been caused by a bullet?

A Yes.

Q Would any of the wounds which you have described with respect to Roth, that is, the second body, have resulted in loss of consciousness?

A Any one of the three head wounds might have resulted in loss of consciousness.

Q What is the probability?

A I think it is probable.

Q Can you say generally from what direction these bullets entered the skull?

A The one in the cheek was from the right and was directed upwards and slightly towards the left. One of the bullet wounds in the head was from the right and directed slightly towards the left.

LT.COL.BORASTON: Do you mean by "right" right front or actually from the right of the body?

A From the right of the body.

Q When you say in respect to the first wound that it was slightly to the left does that mean it was also fired from somewhere on the right side of the body?

A Yes, it was fired from the side the entrance is on; the right side.

LT.COL.MACDONALD: And when you say directed slightly to the left I take it that you mean the left of the body itself?

A Yes.

Q Continue please?

A The entrance and exit of this wound were at about the same level in the skull, that is, they were not up or down as far as the skull was concerned. The third wound was from the left and directed backwards and slightly downwards.

LT.COL.BORASTON: Would any one of these three wounds cause instant death?

A Not necessarily instant death.

Q Would it be possible for life to have continued for as much as an hour after any one of them?

A Yes.

Q Would all three together necessarily have caused instant death?

A Not necessarily.

Q Would it be possible for life to have continued for one-half hour?

A Yes, it is possible.

LT.COL.MACDONALD: What are the probabilities?

A It is not probable.

Q What would be the probability at the end of 15 minutes?

A The probability would be greater.

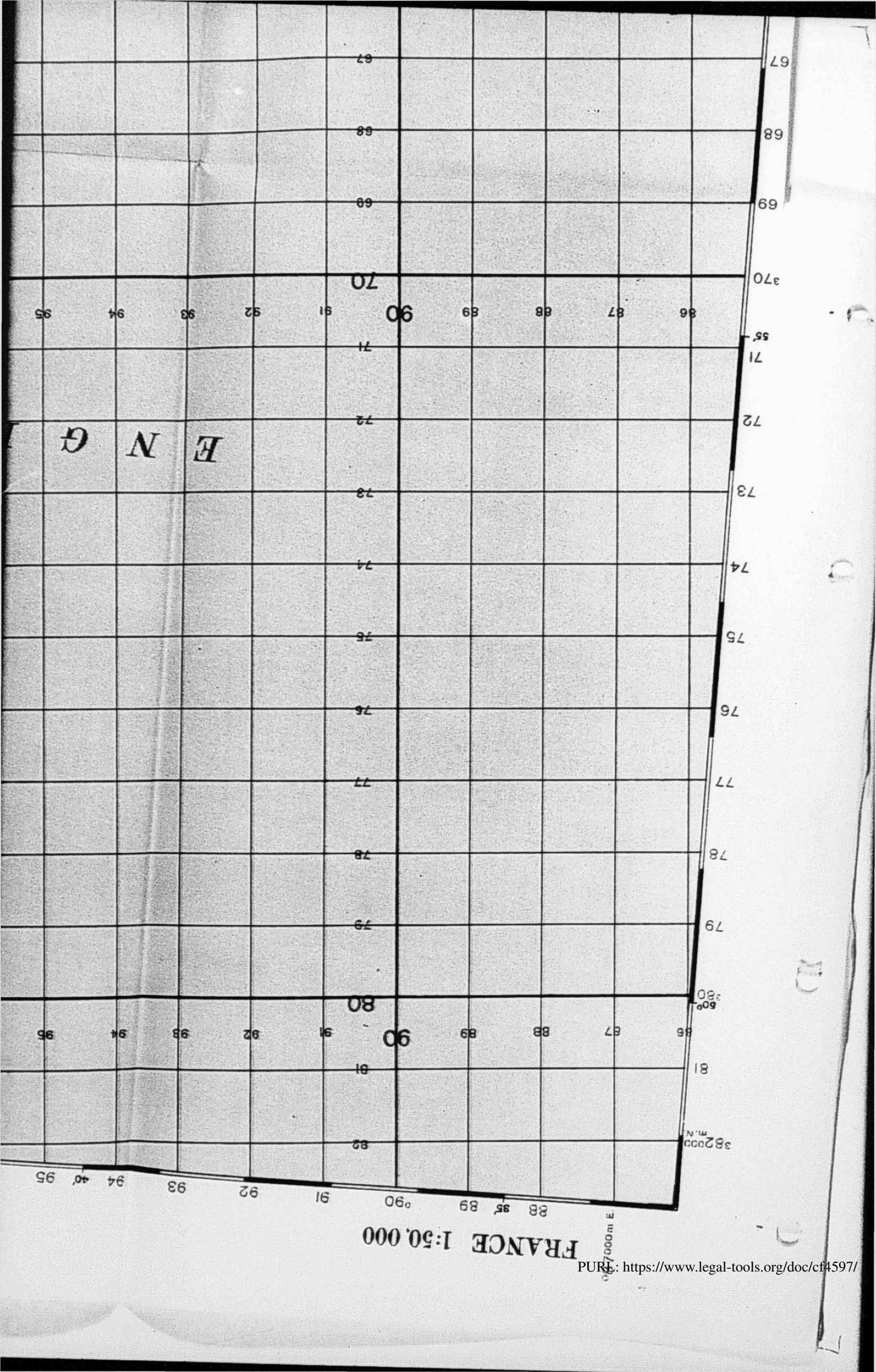
LT.COL.BUSHMAN: This paper which contained the name "Roth" was left by you with the body when you completed your examination?

A Yes.

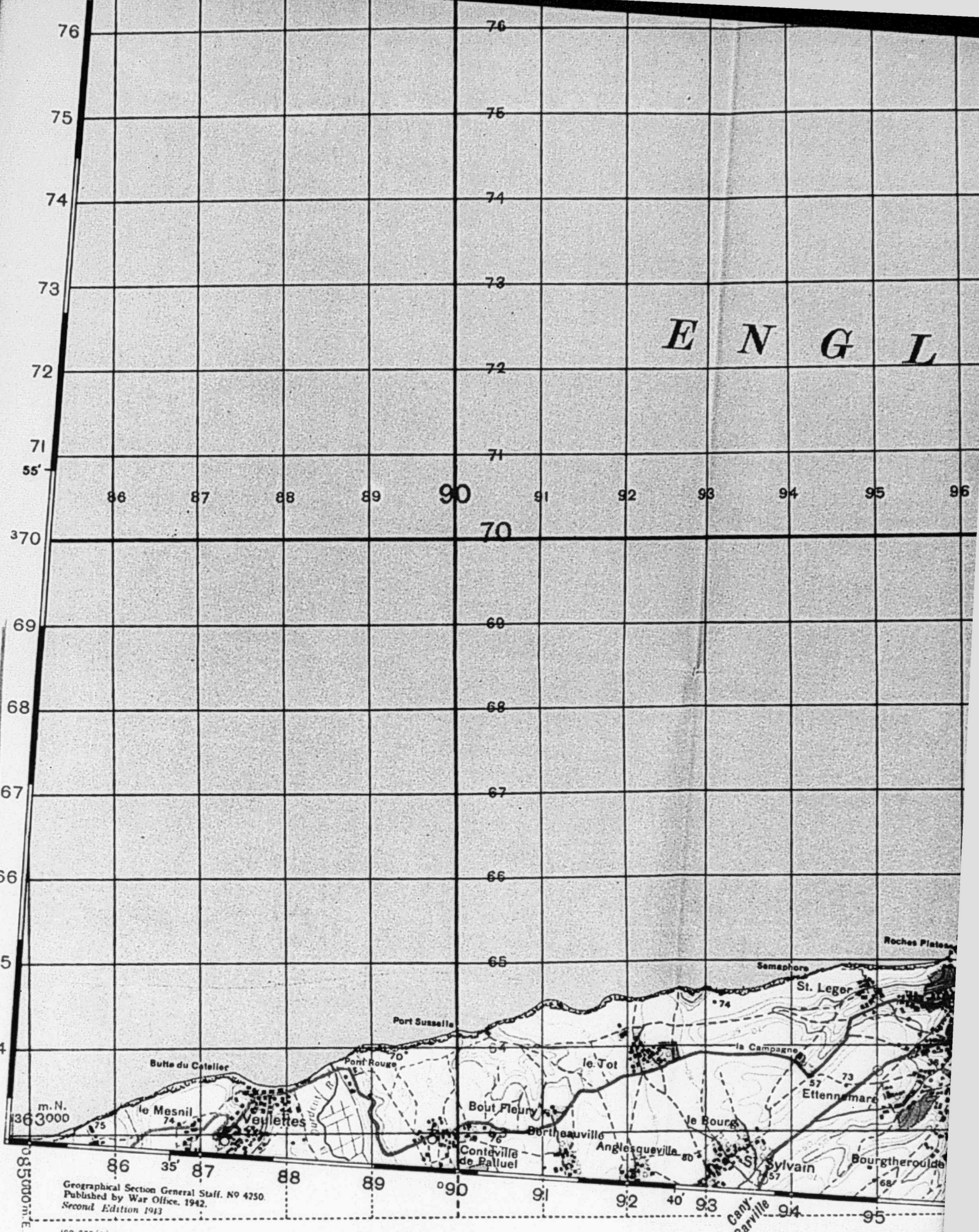
Q And both of these bodies were returned to the respective graves from which they were taken?

A Yes.

Q Now based upon your examination of the second body as testified to by you and your experience as a pathologist, what in your opinion caused the death of this second aviator?



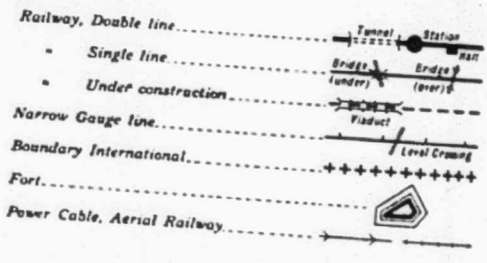
FRANCE 1:50.000



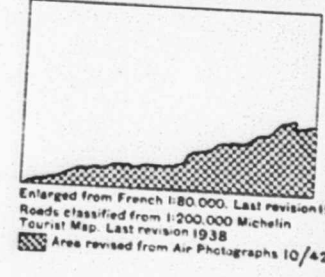
Geographical Section General Staff, NO 4250.
Published by War Office, 1942.
Second Edition 1943

100,000/4/43. Cr.
The road classification is not based on reconnaissance; its reliability is uncertain. (See Reliability Diagram)
Main Roads. (Route Nationale, Chemin de Grande Communication)
8 Metres wide, metalled or paved
6-8 " " " " "
3-6 " " " " "
Secondary Roads.
Other Roads.
Foot Paths.

REFERENCE



RELIABILITY DIAGRAM



LERY-EN-CAUX

SECOND EDITION

02 03 04 05 06 50' 07 08 09 10 11 12 55' 13

02 03 04 05 06 07 08 09 10 11 12 13

80

79

78

77

76

75

74

73

72

71

01 02 03 04 05 06 07 08 09 10 11 12 13

70

69

68

67

66

C H A N N E L

Epineville

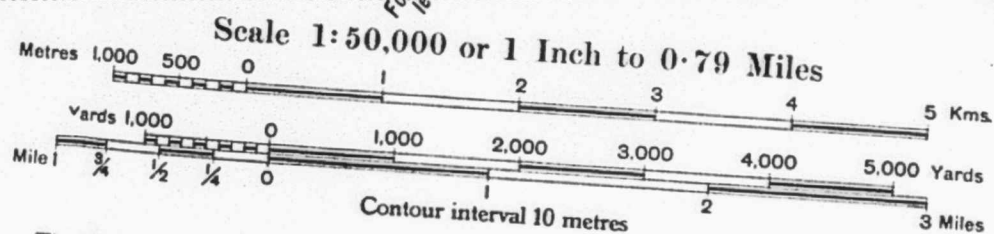
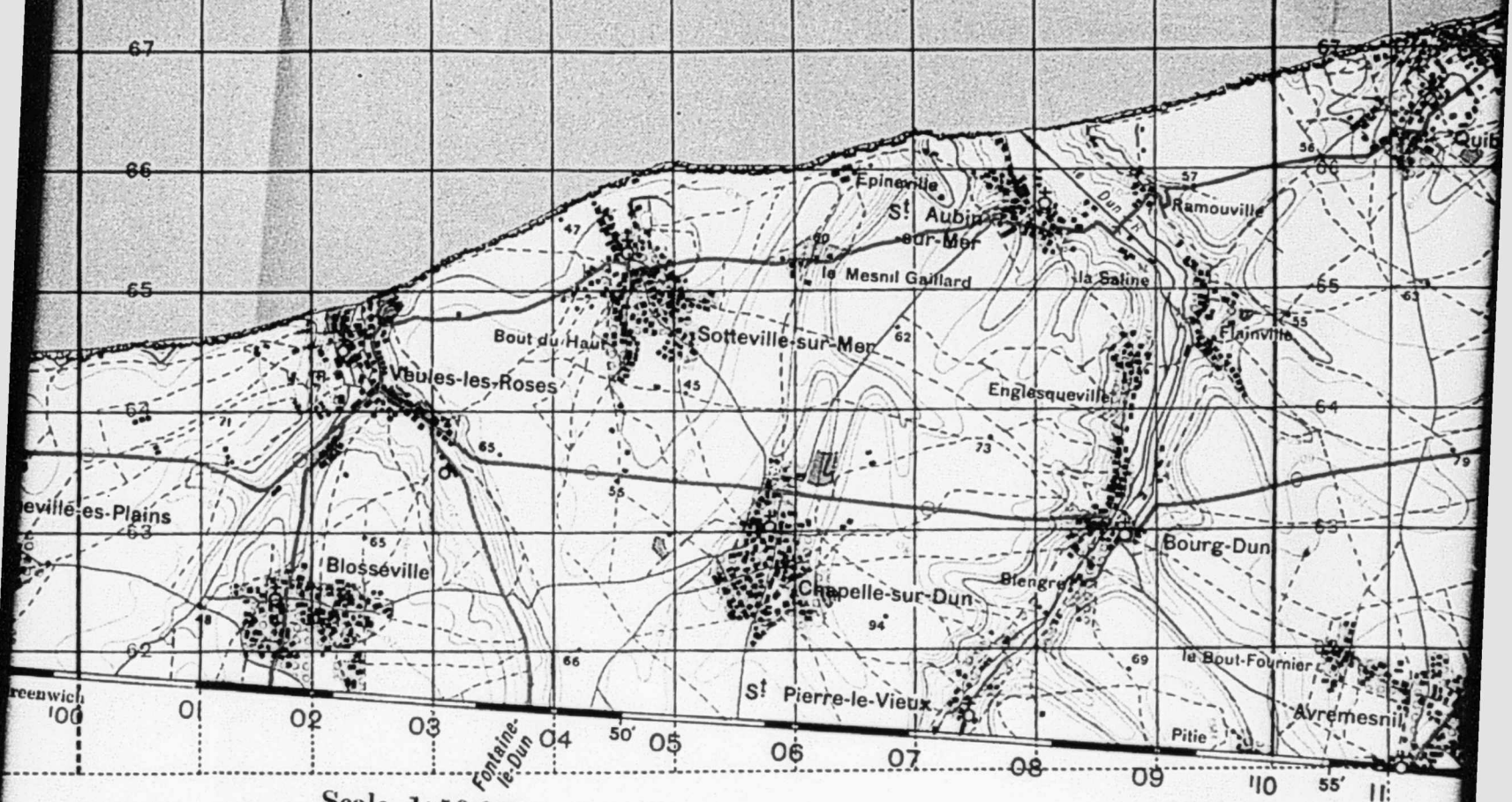
S. Aubin

sur-Mer

Ramouville

Blainville

C H A N N E L



The Grid on this map is Nord de Guerre Zone (Blue). Origin-the intersection of the parallel 55 Grades North with the longitude 6 Grades East of Paris Observatory

Longitude of Paris is 2°20'14" East of Greenwich

- Church, Chapel
- Calvary
- Cemetery
- Windmill, Windpump, Watermill
- Tower, Chimney, Monument
- Spot Height
- Wireless Station
- Orchards, Vineyards
- Woods, Brushwood

SHEET 8 D/6

(French 1:80,000 sheet 10 S.E.)

1:80,000 m.E.

380000 m. N.

Glossary.

| Abr. | Abrevoir | Watering Place |
|-------|------------------|-------------------------------|
| Alén. | Maison d'Aliénés | Asylum |
| Arst. | Anse | Cove |
| As. | Arsenal | Arsenal |
| Aub. | Asile | Asylum |
| | Auberge | Inn |
| | Bac | Ferry |
| | Baie | Bay |
| | Bascule | Weigh-bridge |
| | Bois | Wood |
| | Batterie | Battery |
| | Barrage | Dam |
| | Briqueterie | Brickworks |
| | Brusailles | Brushwood |
| | Buisson | Thicket |
| | Cabaret | Small Inn |
| | Canal | Canal |
| | Canton | Canton |
| | Carrière | Quarry |
| | Carrefour | Cross roads |
| | Caserne | Barracks |
| | Château | Castle or Large Country House |
| | Chaussée | Road |
| | Chapelle | Chapel |
| | Chemin | Road |
| | Cimetière | Cemetery |
| | Clocher | Belfry |
| | Commune | Commune |
| | Département | Department |
| | Digue | Dyke |
| | Ecluse | Lock |
| | Étang | Pond |
| | Fl. | River |
| | Fme. Fe. | Farm |
| | Fortif. | Fortification, Fort |
| | Forêt | Forest |
| | Gendarmerie | Police station |
| | Gué | Ford |
| | Hôpital | Hospital |
| | Lac | Lake |
| | Marécage | Marsh |
| | Montagne | Mountain |
| | Mairie | Town hall |
| | Moulin | Mill |
| | Mont | Hill |
| | Ponceau | Culvert |
| | Passage | Crossing |
| | Phare | Lighthouse |
| | Plateau | Plateau |
| | Passerelle | Footbridge |
| | Plantation | Plantation |
| | Préfecture | Chief town of Department |
| | Prison | Prison |
| | Ponton | Pontoon |
| | Rivière | River |
| | Ruisseau | Stream |
| | Rocher | Rock |
| | Route Nationale | Trunk road |
| | Sablonnaire | Sandpit |
| | Sapinière | Pine wood |
| | Scierie | Sawmill |
| | Tourbière | Bog |
| | Tuilerie | Tileworks |
| | Usine | Factory |
| | Valée | Valley |

INCIDENCE OF GRID LETTERS AND INDEX TO ADJOINING SHEETS

| | | |
|-----|--------------------------------------|----------------------|
| 370 | | EU 9 D/3 |
| 69 | L ST. VALÉRY EN. CAUX 8 D/6 | M DIEPPE 9 D/5 |
| 68 | FÉCAMP 8 E/1 | NEUFCHÂTEL 9 E/1 |
| 55' | | |

| EXAMPLE OF A GRID REFERENCE ON THIS SHEET | | | |
|--|--|------|-------|
| LETTER L | | | |
| POINT LA CAMPAGNE | | | |
| East | North | East | North |
| Take West edge of square and read figure opposite this line on North or South margin or on the line itself. Estimate tenths eastwards. | Take South edge of square and read figure opposite this line on East or West margin or on the line itself. Estimate tenths northwards. | East | North |
| 2 | 3 | 2 | 3 |
| REFERENCE 1942639 | | | |
| Unit... metre Square... 1,000 Reference to nearest 100 | | | |
| Nearest similar reference on this grid 500 Km. distant | | | |

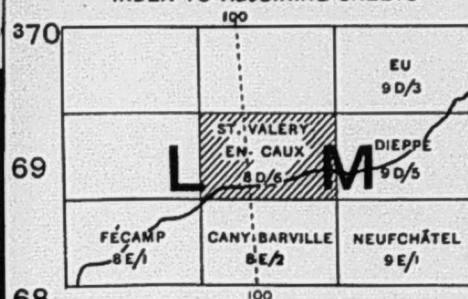
PURL: <https://www.legal-tools.org/doc/cf4597/>

Nord de Guerre Zone

Convergence is given for centres of W. & E. sheet lines.

| | | |
|-----------|-----------------|--------------------------|
| Mare. | Mareage | Marsh |
| Mnt. | Montagne | Mountain |
| Mn. | Mairie | Town hall |
| Mn. | Moulin | Mill |
| Mt. | Mont | Hill |
| Pceau. | Ponceau | Culvert |
| Pg. | Passage | Crossing |
| Ph. | Phare | Lighthouse |
| Pla. | Plateau | Plateau |
| Ple. | Passerelle | Footbridge |
| Plm. | Plantation | Plantation |
| Prctrs. | Préfecture | Chief town of Department |
| Psn. | Prison | Prison |
| Ptn. | Ponton | Pontoon |
| R. | Rivière | River |
| Rcu. | Ruisseau | Stream |
| Rer. | Rocher | Rock |
| Rte. Nte. | Route Nationale | Trunk road |
| Sabre. | Sablonnière | Sandpit |
| Sapre. | Sapinière | Pine wood |
| Scie. | Scierie | Sawmill |
| Tourbr. | Tourbire | Bog |
| Tu. | Tuilerie | Tileworks |
| Uge. | Usine | Factory |
| Vla. | Vallée | Valley |

INCIDENCE OF GRID LETTERS AND INDEX TO ADJOINING SHEETS



| EXAMPLE OF A GRID REFERENCE ON THIS SHEET | | | |
|--|------------------|--|--|
| LETTER L | | | |
| POINT LA CAMPAGNE | | | |
| East | | North | |
| Take West edge of square and read figures opposite this line on North or South margin or on the line itself Estimate tenths eastwards | | Take South edge of square and read figures opposite this line on East or West margin or on the line itself Estimate tenths northwards | |
| East | | North | |
| 942 | | 539 | |
| REFERENCE 1942639 | | | |
| Unit.....metre | Square.....1,000 | Reference to nearest 100 | |
| Nearest similar reference on this grid 500 Km. distant | | | |

Nord de Guerre Zone

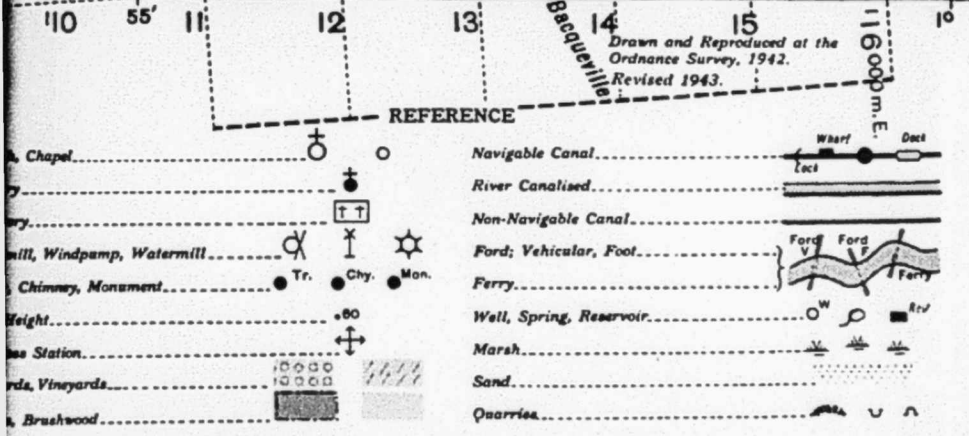
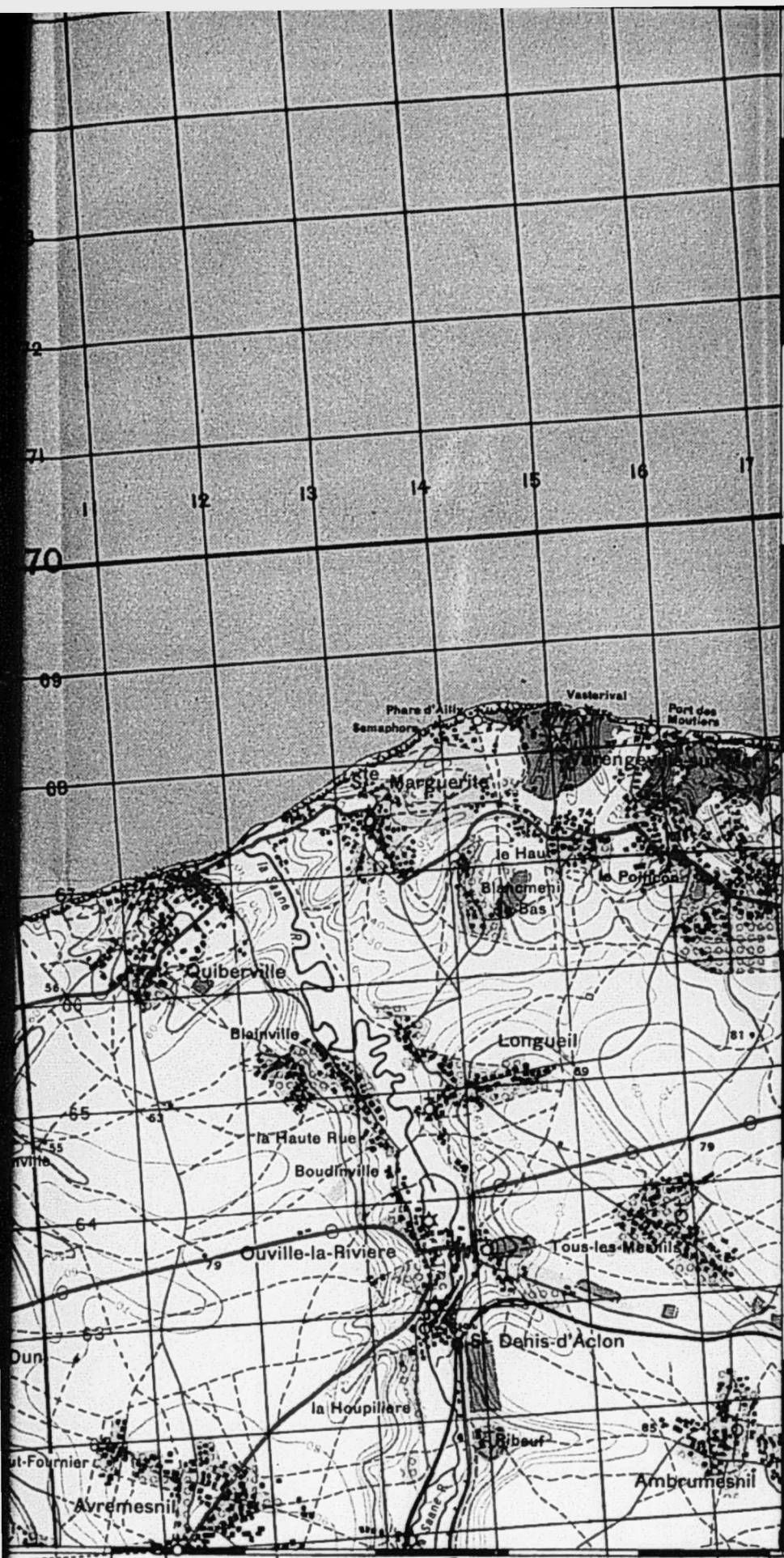
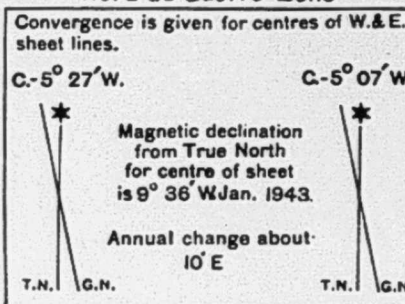


EXHIBIT C1.

Fp.Nr. o7832 D.

O.U., den 6.7.44.

BESCHAEFTIGUNGSNACHWEIS

Cass sociale =====

No. 07/76.03091/12

fuer die Zeit vom 1.7.44 bis 7.7.44.

Mme. D e s c h a m p s , Odette, geboren am 23.4.1907
wohnhaft in Avremesnil, Vers.Nr. o7 76 o3o91 - 12 hat
in der Zeit vom 1.7. bis 7.7.44 bei obiger Einheit
gearbeitet mit insgesamt 63 Stunden,

Bezahlung:

| | | | |
|------------------------|----------|---|------------|
| 56 Wochentagsstunden a | Frs 5.- | = | Frs 280.- |
| 7 Ueberstunden | a " 5.50 | = | " 38.50 |
| | zusammen | | Frs 318.50 |
| | | | ===== |

Um Auszahlung dieses Betrages wird gebeten.

Quittung:
Betrag erhalten

(Signed) REUTER (?)

.....
Unterschrift.

Oberleutnant u.Komp.Chef.

63 hours
a 5²
315
plus -130 hours sur une
autre feuille

Signed German requisition chit, obtained
from the Mairie, LONGUEIL.

EXHIBIT C5.

Ordre de requisition

Dienststelle Feldp.-Nr. 18953 A
Monsieur Reine E est obligé d'être
avec 1 banneau chariot et 2 chevaux
cheveaux le 29 Aout heures au
chateau pour aller a L'Hayueule
Ordre a retourner avec la facture

(Signed) REITZ

EXHIBIT C6.

Ordre de requisition

Dienststelle Feldp.-Nr. 18953 C
Monsieur J. Bouclon est obligé d'être
avec chariot et 4 chevaux
cheveaux le 26 Aout à 6 heures
chateau pour aller à Arques

(Signed) GRÜNDLING

EXHIBIT C7.

Ordre de requisition

Dienststelle Feldp.-Nr. 18953 A
Monsieur Lebret Victor est obligé d'être
avec 1 banneau et 2 chevaux
cheveaux le 22 Aout à 900 heures au
M. Bloc pour aller à 8 Juli 44
Ordre a retourner avec la facture

(Signed) REITZ

Signed German requisition chits,
obtained from the Mairie, LONGUEIL.



Photographs of the airman GEORGE L. ROTH,
taken and produced by the witness Mme EMILIENNE CRAMPON.



Photograph found near the crashed
aeroplane, produced by the witness
Mme EMILIENNE CRAMPON. Possibly
a photograph of GEORGE L. ROTH.



General view of the scene of the Incident, showing the two positions of the crashed aeroplane and, in the distance to the East, the spire of LONGUEIL Church, indicated by an arrow.

75.398 - 30

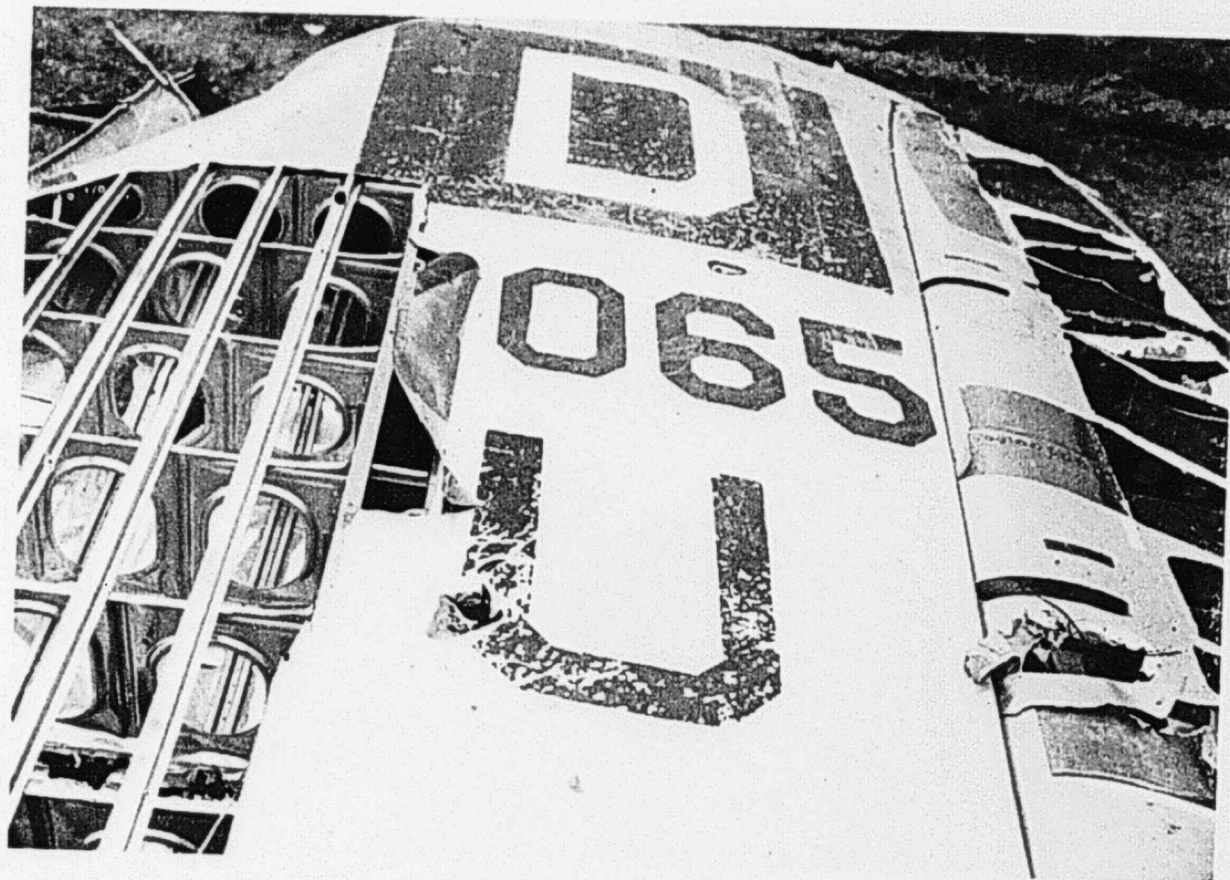
EXHIBIT L1



General view looking westwards, showing trees surrounding farm,
over which the aeroplane passed immediately before it crashed.

75,398 - 30

EXHIBIT L2



Photograph showing identification marks on the crashed aeroplane.

EXHIBIT 15



View of LONGUEIL Cemetery showing graves of the two airmen.